

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5148**

53rd Legislature  
1993 Regular Session

Passed by the Senate February 18, 1993  
YEAS 47 NAYS 0

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**President of the Senate**

Passed by the House April 5, 1993  
YEAS 95 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5148** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5148**

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Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By Senate Committee on Transportation (originally sponsored by Senator Winsley)**

Read first time 02/10/93. Referred to Committee on .

1            AN ACT Relating to penalties for improper use of parking spaces for  
2 disabled persons; amending RCW 46.16.381; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 46.16.381 and 1992 c 148 s 1 are each amended to read  
5 as follows:

6            (1) The director shall grant special parking privileges to any  
7 person who has a disability that limits or impairs the ability to walk  
8 and meets one of the following criteria, as determined by a licensed  
9 physician:

10            (a) Cannot walk two hundred feet without stopping to rest;

11            (b) Is severely limited in ability to walk due to arthritic,  
12 neurological, or orthopedic condition;

13            (c) Is so severely disabled, that the person cannot walk without  
14 the use of or assistance from a brace, cane, another person, prosthetic  
15 device, wheelchair, or other assistive device;

16            (d) Uses portable oxygen;

17            (e) Is restricted by lung disease to such an extent that forced  
18 expiratory respiratory volume, when measured by spirometry is less than

1 one liter per second or the arterial oxygen tension is less than sixty  
2 mm/hg on room air at rest;

3 (f) Impairment by cardiovascular disease or cardiac condition to  
4 the extent that the person's functional limitations are classified as  
5 class III or IV under standards accepted by the American Heart  
6 Association; or

7 (g) Has a disability resulting from an acute sensitivity to  
8 automobile emissions which limits or impairs the ability to walk. The  
9 personal physician of the applicant shall document that the disability  
10 is comparable in severity to the others listed in this subsection.

11 (2) Persons who qualify for special parking privileges are entitled  
12 to receive from the department of licensing a removable windshield  
13 placard bearing the international symbol of access. The department  
14 shall design the placard to be displayed when the vehicle is parked by  
15 suspending it from the rearview mirror, or in the absence of a rearview  
16 mirror the card may be displayed on the dashboard of any vehicle used  
17 to transport the disabled person. Instead of regular motor vehicle  
18 license plates, disabled persons are entitled to receive special  
19 license plates bearing the international symbol of access for one  
20 vehicle registered in the disabled person's name. Disabled persons who  
21 are not issued the special license plates are entitled to receive a  
22 second special placard. Persons who have been issued the parking  
23 privileges and who are using a vehicle or are riding in a vehicle  
24 displaying the special license plates or placard may park in places  
25 reserved for mobility disabled persons. The director shall adopt rules  
26 providing for the issuance of special placards and license plates to  
27 public transportation authorities, nursing homes licensed under chapter  
28 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior  
29 citizen centers, and private nonprofit agencies as defined in chapter  
30 24.03 RCW that regularly transport disabled persons who have been  
31 determined eligible for special parking privileges provided under this  
32 section. The director may issue special license plates for a vehicle  
33 registered in the name of the public transportation authority, nursing  
34 home, boarding homes, senior citizen center, or private nonprofit  
35 agency if the vehicle is primarily used to transport persons with  
36 disabilities described in this section. Public transportation  
37 authorities, nursing homes, boarding homes, senior citizen centers, and  
38 private nonprofit agencies are responsible for insuring that the

1 special placards and license plates are not used improperly and are  
2 responsible for all fines and penalties for improper use.

3 (3) Whenever the disabled person transfers or assigns his or her  
4 interest in the vehicle, the special license plates shall be removed  
5 from the motor vehicle. If another vehicle is acquired by the disabled  
6 person and the vehicle owner qualifies for a special plate, the plate  
7 shall be attached to the vehicle, and the director shall be immediately  
8 notified of the transfer of the plate. If another vehicle is not  
9 acquired by the disabled person, the removed plate shall be immediately  
10 surrendered to the director.

11 (4) The special license plate shall be renewed in the same manner  
12 and at the time required for the renewal of regular motor vehicle  
13 license plates under this chapter. No special license plate may be  
14 issued to a person who is temporarily disabled. A person who has a  
15 condition expected to improve within six months may be issued a  
16 temporary placard for a period not to exceed six months. The director  
17 may issue a second temporary placard during that period if requested by  
18 the person who is temporarily disabled. If the condition exists after  
19 six months a new temporary placard shall be issued upon receipt of a  
20 new certification from the disabled person's physician. The parking  
21 placard of a disabled person shall be renewed, when required by the  
22 director, by satisfactory proof of the right to continued use of the  
23 privileges.

24 (5) Additional fees shall not be charged for the issuance of the  
25 special placards. No additional fee may be charged for the issuance of  
26 the special license plates except the regular motor vehicle  
27 registration fee and any other fees and taxes required to be paid upon  
28 registration of a motor vehicle.

29 (6) Any unauthorized use of the special placard or the special  
30 license plate is a misdemeanor.

31 (7) It is a traffic infraction, with a monetary penalty of (~~not~~  
32 ~~less than fifteen and not more than~~) fifty dollars for any person to  
33 park a vehicle in a parking place provided on private property without  
34 charge or on public property reserved for physically disabled persons  
35 without a special license plate or placard. If a person is charged  
36 with a violation, the person shall not be determined to have committed  
37 an infraction if the person produces in court or before the court  
38 appearance the special license plate or placard required under this  
39 section. A local jurisdiction providing on-street parking places

1 reserved for physically disabled persons may impose by ordinance time  
2 restrictions on the use of these parking places.

3 (8) The portion of a penalty imposed under subsection (7) of this  
4 section that is retained by a local jurisdiction under RCW 3.46.120,  
5 3.50.100, 3.62.020, 3.62.040, or 35.20.220 shall be used by that local  
6 jurisdiction exclusively for law enforcement. The court may also  
7 impose an additional penalty sufficient to reimburse the local  
8 jurisdiction for any costs it may have incurred in removal and storage  
9 of the improperly parked vehicle.

10 (9) It is a misdemeanor for any person to willfully obtain a  
11 special license plate or placard in a manner other than that  
12 established under this section.

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