

HOUSE BILL REPORT

2SSB 6190

As Reported By House Committee On:
Transportation Policy & Budget

Title: An act relating to special parking privileges for disabled persons.

Brief Description: Strengthening laws on disabled persons' parking permits.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Oke, Goings, Bauer, Haugen, Wood and Fraser).

Brief History:

Committee Activity:

Transportation Policy & Budget: 2/23/98, 3/2/98 [DPA].

HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

Majority Report: Do pass as amended. Signed by 26 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Mielke, Vice Chairman; Mitchell, Vice Chairman; Fisher, Ranking Minority Member; Cooper, Assistant Ranking Minority Member; Backlund; Cairnes; Chandler; Constantine; DeBolt; Gardner; Hatfield; Johnson; McCune; Murray; O'Brien; Ogden; Radcliff; Robertson; Romero; Scott; Skinner; Sterk; Wood and Zellinsky.

Staff: Reema Shawa (786-7301).

Background: The disabled parking placard was created to respond to the unique needs of individuals with disabilities that limit or impair their ability to walk. When the parking placard is displayed on a vehicle's rearview mirror, the vehicle is entitled to free, unlimited on-street parking and is authorized to use parking spaces reserved for permit holders. Because the placard has no identification qualities which would link it to the legal permit holder, the fraudulent use of disabled parking placards is a crime easily committed.

Due to the many competing high priority enforcement needs, parking spaces reserved for persons with disabilities are not enforced at the level necessary to lower violation rates. Restricting enforcement levels even more is the fact that the current penalty assignment for fraudulent obtainment and misuse of a parking placard is set at a misdemeanor. Because this is a criminal classification, violations are only enforceable by police officers as opposed to parking enforcement.

Summary of Amended Bill: Four key issue areas are addressed in this bill:

1) Permit Identification: Each permit holder will receive a parking placard and an identification card bearing the picture and name of the permit holder, as well as the placard's serial number.

2) Permit Issuance and Renewal: Leg amputees are exempt from the required physician certification process. Permanent permit holders are required to submit a written request to receive an additional parking placard. Temporary permit holders are not eligible to receive additional placards. For permanent permits, a five-year maximum permit renewal cycle is required. The Department of Licensing (DOL) is required to verify the status of permit holders by matching their disabled permit database with available death record information. Based on the results, the database will be purged of all permits belonging to deceased permit holders.

3) Penalty Assignment: Unauthorized use of a parking placard, license plate or picture identification card is a traffic infraction with a monetary penalty of \$250. Obtaining a parking placard, license plate or identification card in a manner other than that established under law is a traffic infraction with a monetary penalty of \$250. Blocking the access isle located adjacent to a space reserved for physically disabled persons is a parking infraction with a monetary penalty of \$175. Second or subsequent violations of disabled parking laws carries the additional penalty of serving a minimum of 40 hours of community service, which will sensitize the violator to the special needs of persons with disabilities. Failure of a property owner to sign and/or maintain parking spaces reserved for physically disabled persons is a class 2 civil infraction. Failure to ensure that the parking spaces are accessible is a class 2 civil infraction. Knowingly providing false information on a disabled parking permit application is a gross misdemeanor with a penalty of up to one year in jail, a fine of up to \$5,000, or both.

4) Enforcement: Local law enforcement agencies are authorized to appoint volunteers to issue notices of infractions for violations of disabled parking laws. Local jurisdictions are authorized to impose, by ordinance, time restrictions of no less than four hours on the use of on-street parking spots by vehicles displaying a parking placard. A minimum time limit standard for the use of on-street parking spaces reserved for physically disabled persons is set at four hours. It is required that all time restrictions be clearly posted.

Amended Bill Compared to Second Substitute Bill: Language is added to exempt leg amputees from having to obtain a physician's certification in order to be eligible for a disabled parking permit. The fine for parking in a reserved disabled parking space is decreased from \$250 to \$175. The fine for making inaccessible the access aisle located next to a reserved disabled parking place is decreased from \$250 to \$175. Language prohibiting the courts from suspending fines by more than one-half is removed.

Volunteers are "appointed," as opposed to "commissioned," and volunteer enforcement teams are authorized to confiscate the disabled parking permit documents from violators.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This legislation will help ensure that the parking placards are used legitimately.

Testimony Against: None.

Testified: Senator Bob Oke, prime sponsor; Glenn A. Galbreath, Northwest Chapter of Paralyzed Veterans of America (PVA); Jack Michaels, PVA; Dave Devoe, Thurston County Sheriff's office; Joseph Johnston, citizen; Cherie Tessier, People First of Washington; and Jim Wadsworth, Department of Licensing.