
SENATE BILL 5025

State of Washington

57th Legislature

2001 Regular Session

By Senators Fairley, Kohl-Welles, McCaslin, Haugen, Deccio, Winsley, Costa, McAuliffe and T. Sheldon

Read first time 01/08/2001. Referred to Committee on Transportation.

1 AN ACT Relating to parking privileges for disabled veterans;
2 and amending RCW 46.16.381.

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

4 **Sec. 1.** RCW 46.16.381 and 1999 c 136 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
8 walk and meets one of the following criteria, as determined by a
9 licensed 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
14 without the use of or assistance from a brace, cane, another
15 person, prosthetic 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

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

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

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

12 (h) Is a disabled veteran and qualifies for license plates
13 under RCW 73.04.110.

14 (2) The applications for disabled parking permits and temporary
15 disabled parking permits are official state documents. Knowingly
16 providing false information in conjunction with the application is
17 a gross misdemeanor punishable under chapter 9A.20 RCW. The
18 following statement must appear on each application form
19 immediately below the physician's signature and immediately below
20 the applicant's signature: "A disabled parking permit may be
21 issued only for a medical necessity that severely affects mobility
22 (RCW 46.16.381). Knowingly providing false information on this
23 application is a gross misdemeanor. The penalty is up to one year
24 in jail and a fine of up to \$5,000 or both."

25 (3) Persons who qualify for special parking privileges are
26 entitled to receive from the department of licensing a removable
27 windshield placard bearing the international symbol of access and
28 an individual serial number, along with a special identification
29 card bearing the name and date of birth of the person to whom the
30 placard is issued, and the placard's serial number. The special
31 identification card shall be issued no later than January 1, 2000,
32 to all persons who are issued parking placards, including those
33 issued for temporary disabilities, and special disabled parking
34 license plates. By July 1, 2001, the department shall incorporate
35 a photograph of the holder of the disabled parking permit into all
36 special identification cards issued after that date. The
37 department, in conjunction with the governor's committee on
38 disability issues and employment, shall assess options for issuing

1 a photo identification card to each person who qualifies for a
2 permanent parking placard, a temporary parking placard, or a
3 special disabled parking license plate and report findings to the
4 legislative transportation committee no later than December 31,
5 2000. The department shall design the placard to be displayed
6 when the vehicle is parked by suspending it from the rearview
7 mirror, or in the absence of a rearview mirror the card may be
8 displayed on the dashboard of any vehicle used to transport the
9 disabled person. Instead of regular motor vehicle license plates,
10 disabled persons are entitled to receive special license plates
11 bearing the international symbol of access for one vehicle
12 registered in the disabled person's name. Disabled persons who
13 are not issued the special license plates are entitled to receive
14 a second special placard upon submitting a written request to the
15 department. Persons who have been issued the parking privileges
16 and who are using a vehicle or are riding in a vehicle displaying
17 the special license plates or license plates for disabled veterans
18 issued under RCW 73.04.110 or placard may park in places reserved
19 for mobility disabled persons. The director shall adopt rules
20 providing for the issuance of special placards and license plates
21 to public transportation authorities, nursing homes licensed under
22 chapter 18.51 RCW, boarding homes licensed under chapter 18.20
23 RCW, senior citizen centers, private nonprofit agencies as defined
24 in chapter 24.03 RCW, and vehicles registered with the department
25 as cabulances that regularly transport disabled persons who have
26 been determined eligible for special parking privileges provided
27 under this section. The director may issue special license plates
28 for a vehicle registered in the name of the public transportation
29 authority, nursing home, boarding homes, senior citizen center,
30 private nonprofit agency, or cabulance service if the vehicle is
31 primarily used to transport persons with disabilities described in
32 this section. Public transportation authorities, nursing homes,
33 boarding homes, senior citizen centers, private nonprofit
34 agencies, and cabulance services are responsible for insuring that
35 the special placards and license plates are not used improperly
36 and are responsible for all fines and penalties for improper use.

37 (4) Whenever the disabled person transfers or assigns his or
38 her interest in the vehicle, the special license plates shall be

1 removed from the motor vehicle. If another vehicle is acquired by
2 the disabled person and the vehicle owner qualifies for a special
3 plate, the plate shall be attached to the vehicle, and the
4 director shall be immediately notified of the transfer of the
5 plate. If another vehicle is not acquired by the disabled person,
6 the removed plate shall be immediately surrendered to the
7 director.

8 (5) The special license plate shall be renewed in the same
9 manner and at the time required for the renewal of regular motor
10 vehicle license plates under this chapter. No special license
11 plate may be issued to a person who is temporarily disabled. A
12 person who has a condition expected to improve within six months
13 may be issued a temporary placard for a period not to exceed six
14 months. If the condition exists after six months a new temporary
15 placard shall be issued upon receipt of a new certification from
16 the disabled person's physician. The permanent parking placard
17 and identification card of a disabled person shall be renewed at
18 least every five years, as required by the director, by
19 satisfactory proof of the right to continued use of the
20 privileges. In the event of the permit holder's death, the
21 parking placard and identification card must be immediately
22 surrendered to the department. The department shall match and
23 purge its disabled permit data base with available death record
24 information at least every twelve months.

25 (6) Each person who has been issued a permanent disabled
26 parking permit on or before July 1, 1998, must renew the permit no
27 later than July 1, 2003, subject to a schedule to be set by the
28 department, or the permit will expire.

29 (7) Additional fees shall not be charged for the issuance of
30 the special placards or the identification cards. No additional
31 fee may be charged for the issuance of the special license plates
32 except the regular motor vehicle registration fee and any other
33 fees and taxes required to be paid upon registration of a motor
34 vehicle.

35 (8) Any unauthorized use of the special placard, special
36 license plate, or identification card is a traffic infraction with
37 a monetary penalty of two hundred fifty dollars.

38 (9) It is a parking infraction, with a monetary penalty of two

1 hundred fifty dollars for a person to make inaccessible the access
2 aisle located next to a space reserved for physically disabled
3 persons. The clerk of the court shall report all violations
4 related to this subsection to the department.

5 (10) It is a parking infraction, with a monetary penalty of two
6 hundred fifty dollars for any person to park a vehicle in a
7 parking place provided on private property without charge or on
8 public property reserved for physically disabled persons without a
9 special license plate or placard. If a person is charged with a
10 violation, the person shall not be determined to have committed an
11 infraction if the person produces in court or before the court
12 appearance the special license plate or placard required under
13 this section. A local jurisdiction providing nonmetered, on-
14 street parking places reserved for physically disabled persons may
15 impose by ordinance time restrictions of no less than four hours
16 on the use of these parking places. A local jurisdiction may
17 impose by ordinance time restrictions of no less than four hours
18 on the use of nonreserved, on-street parking spaces by vehicles
19 displaying the special parking placards. All time restrictions
20 must be clearly posted.

21 (11) The penalties imposed under subsections (9) and (10) of
22 this section shall be used by that local jurisdiction exclusively
23 for law enforcement. The court may also impose an additional
24 penalty sufficient to reimburse the local jurisdiction for any
25 costs it may have incurred in removal and storage of the
26 improperly parked vehicle.

27 (12) Except as provided by subsection (2) of this section, it
28 is a traffic infraction with a monetary penalty of two hundred
29 fifty dollars for any person willfully to obtain a special license
30 plate, placard, or identification card in a manner other than that
31 established under this section.

32 (13)(a) A law enforcement agency authorized to enforce parking
33 laws may appoint volunteers, with a limited commission, to issue
34 notices of infractions for violations of this section or RCW
35 46.61.581. Volunteers must be at least twenty-one years of age.
36 The law enforcement agency appointing volunteers may establish any
37 other qualifications the agency deems desirable.

1 (b) An agency appointing volunteers under this section must
2 provide training to the volunteers before authorizing them to
3 issue notices of infractions.

4 (c) A notice of infraction issued by a volunteer appointed
5 under this subsection has the same force and effect as a notice of
6 infraction issued by a police officer for the same offense.

7 (d) A police officer or a volunteer may request a person to
8 show the person's identification card or special parking placard
9 when investigating the possibility of a violation of this section.
10 If the request is refused, the person in charge of the vehicle
11 may be issued a notice of infraction for a violation of this
12 section.

13 (14) For second or subsequent violations of this section, in
14 addition to a monetary fine, the violator must complete a minimum
15 of forty hours of:

16 (a) Community service for a nonprofit organization that serves
17 the disabled community or persons having disabling diseases; or

18 (b) Any other community service that may sensitize the violator
19 to the needs and obstacles faced by persons who have disabilities.

20 (15) The court may not suspend more than one-half of any fine
21 imposed under subsection (8), (9), (10), or (12) of this section.

--- END ---

