

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5434**

57th Legislature  
2001 Regular Session

Passed by the Senate March 12, 2001  
YEAS 48 NAYS 0

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**President of the Senate**

Passed by the House April 5, 2001  
YEAS 97 NAYS 0

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**Speaker of the  
House of Representatives**

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5434** 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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**ENGROSSED SUBSTITUTE SENATE BILL 5434**

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Passed Legislature - 2001 Regular Session

**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Oke and Haugen; by request of Department of Licensing)

READ FIRST TIME 02/21/01.

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

21 (3) Persons who qualify for special parking privileges are entitled  
22 to receive from the department of licensing a removable windshield  
23 placard bearing the international symbol of access and an individual  
24 serial number, along with a special identification card bearing the  
25 name and date of birth of the person to whom the placard is issued, and  
26 the placard's serial number. The special identification card shall be  
27 issued no later than January 1, 2000, to all persons who are issued  
28 parking placards, including those issued for temporary disabilities,  
29 and special disabled parking license plates. ~~((By July 1, 2001, the  
30 department shall incorporate a photograph of the holder of the disabled  
31 parking permit into all special identification cards issued after that  
32 date. The department, in conjunction with the governor's committee on  
33 disability issues and employment, shall assess options for issuing a  
34 photo identification card to each person who qualifies for a permanent  
35 parking placard, a temporary parking placard, or a special disabled  
36 parking license plate and report findings to the legislative  
37 transportation committee no later than December 31, 2000.))~~ The  
38 department shall design the placard to be displayed when the vehicle is  
39 parked by suspending it from the rearview mirror, or in the absence of

1 a rearview mirror the card may be displayed on the dashboard of any  
2 vehicle used to transport the disabled person. Instead of regular  
3 motor vehicle license plates, disabled persons are entitled to receive  
4 special license plates bearing the international symbol of access for  
5 one vehicle registered in the disabled person's name. Disabled persons  
6 who are not issued the special license plates are entitled to receive  
7 a second special placard upon submitting a written request to the  
8 department. Persons who have been issued the parking privileges and  
9 who are using a vehicle or are riding in a vehicle displaying the  
10 special license plates or placard may park in places reserved for  
11 mobility disabled persons. The director shall adopt rules providing  
12 for the issuance of special placards and license plates to public  
13 transportation authorities, nursing homes licensed under chapter 18.51  
14 RCW, boarding homes licensed under chapter 18.20 RCW, senior citizen  
15 centers, private nonprofit agencies as defined in chapter 24.03 RCW,  
16 and vehicles registered with the department as cabulances that  
17 regularly transport disabled persons who have been determined eligible  
18 for special parking privileges provided under this section. The  
19 director may issue special license plates for a vehicle registered in  
20 the name of the public transportation authority, nursing home, boarding  
21 homes, senior citizen center, private nonprofit agency, or cabulance  
22 service if the vehicle is primarily used to transport persons with  
23 disabilities described in this section. Public transportation  
24 authorities, nursing homes, boarding homes, senior citizen centers,  
25 private nonprofit agencies, and cabulance services are responsible for  
26 insuring that the special placards and license plates are not used  
27 improperly and are responsible for all fines and penalties for improper  
28 use.

29 (4) Whenever the disabled person transfers or assigns his or her  
30 interest in the vehicle, the special license plates shall be removed  
31 from the motor vehicle. If another vehicle is acquired by the disabled  
32 person and the vehicle owner qualifies for a special plate, the plate  
33 shall be attached to the vehicle, and the director shall be immediately  
34 notified of the transfer of the plate. If another vehicle is not  
35 acquired by the disabled person, the removed plate shall be immediately  
36 surrendered to the director.

37 (5) The special license plate shall be renewed in the same manner  
38 and at the time required for the renewal of regular motor vehicle  
39 license plates under this chapter. No special license plate may be

1 issued to a person who is temporarily disabled. A person who has a  
2 condition expected to improve within six months may be issued a  
3 temporary placard for a period not to exceed six months. If the  
4 condition exists after six months a new temporary placard shall be  
5 issued upon receipt of a new certification from the disabled person's  
6 physician. The permanent parking placard and identification card of a  
7 disabled person shall be renewed at least every five years, as required  
8 by the director, by satisfactory proof of the right to continued use of  
9 the privileges. In the event of the permit holder's death, the parking  
10 placard and identification card must be immediately surrendered to the  
11 department. The department shall match and purge its disabled permit  
12 data base with available death record information at least every twelve  
13 months.

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

18 (7) Additional fees shall not be charged for the issuance of the  
19 special placards or the identification cards. No additional fee may be  
20 charged for the issuance of the special license plates except the  
21 regular motor vehicle registration fee and any other fees and taxes  
22 required to be paid upon registration of a motor vehicle.

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

26 (9) It is a parking infraction, with a monetary penalty of two  
27 hundred fifty dollars for a person to make inaccessible the access  
28 aisle located next to a space reserved for physically disabled persons.  
29 The clerk of the court shall report all violations related to this  
30 subsection to the department.

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

1 disabled persons may impose by ordinance time restrictions of no less  
2 than four hours on the use of these parking places. A local  
3 jurisdiction may impose by ordinance time restrictions of no less than  
4 four hours on the use of nonreserved, on-street parking spaces by  
5 vehicles displaying the special parking placards. All time  
6 restrictions must be clearly posted.

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

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

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

23 (b) An agency appointing volunteers under this section must provide  
24 training to the volunteers before authorizing them to issue notices of  
25 infractions.

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

29 (d) A police officer or a volunteer may request a person to show  
30 the person's identification card or special parking placard when  
31 investigating the possibility of a violation of this section. If the  
32 request is refused, the person in charge of the vehicle may be issued  
33 a notice of infraction for a violation of this section.

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

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

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

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

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