
Human Services Committee

HB 1739

Brief Description: Promoting accessible communities for persons with disabilities.

Sponsors: Representatives Wallace, Campbell, Williams, Moeller, Jacks, Pettigrew and Ormsby.

Brief Summary of Bill

- Creates an Accessible Communities Trust Account (Account) to be administered by the Commissioner of the Employment Security Division.
- Requires the Governor's Committee on Disability Issues and Employment to determine eligibility of Accessible Community Advisory Committees for reimbursement or for grant funding and to solicit proposals for projects to improve disability awareness.
- Allows counties that have established active Accessible Community Advisory Committees for promotion of accessible communities to be reimbursed for travel and other expenses incurred for the Advisory Committees' meetings.
- Increases traffic infraction penalties for improper use of placards, license plates, or parking spots designated for persons with disabilities and requires that a portion of the penalties be deposited into the Account.
- Requires the Governor's office, under supervision of the Governor's Emergency Management Council, to develop a planning template for local emergency management jurisdictions to identify and respond to the needs of person with disabilities when there is a disaster.

Hearing Date: 2/12/09

Staff: Linda Merelle (786-7092)

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

County Advisory Committees.

Under the state's election law, counties are required to have an advisory committee established to assist election officials in developing a plan to identify and implement changes to improve the accessibility of elections for voters with disabilities.

Special Parking Privilege.

The Department of Licensing is required to grant special parking privileges to any person that has a permanent or temporary disability that limits or impairs the ability to walk or involves acute sensitivity to light and meets one of the following criteria, as determined by a licensed physician or an advanced nurse practitioner:

- cannot walk further than 200 feet without stopping to rest;
- is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;
- is so severely disabled that the person cannot walk without an assistive device;
- uses portable oxygen;
- is restricted by lung disease to a particular extent;
- is impaired by cardiovascular disease or cardiac condition to a particular extent;
- has a disability resulting from acute sensitivity to automobile emissions that impairs the ability to walk;
- is legally blind and has limited mobility; or
- has a form of porphyria to the extent that the applicant would significantly benefit from a decrease in exposure to light.

Parking Permits.

A permanent parking privilege must be renewed every five years, and a temporary parking privilege must be renewed every six months. If granted a special parking privilege, a person may choose one of the following options:

- up to two blue placards that hang from the rear-view mirror and can be used by any vehicle at the time the vehicle is providing transportation for the individual with disability;
- one set of disabled parking license plates issued to the qualified individual, who must be one of the registered owners of the vehicle;
- one set of disabled parking license plates and one placard; and
- one special disabled parking year tab and one blue placard.

Traffic Infraction Penalties.

Any unauthorized use of a special parking permit, parking a vehicle in a space reserved for a person with a physical disability without a placard or special license plate, or making inaccessible the access aisle located next to a space reserved for a person with a physical disability is a \$250 traffic infraction.

Local Comprehensive Emergency Plans (Plan).

Each county, city, and town must establish a local organization for emergency management or

join a joint organization of local governments. Each local organization is required to prepare a Plan that must be submitted to the Adjutant General for recommendations and verification of consistency with the State Comprehensive Emergency Management Plan.

Summary of Bill:

Accessible Communities Account (Account).

The Account is created in the custody of the State Treasurer. Appropriation is not required for expenditures from the Account, and only the Commissioner of the Employment Security Department (ESD) may authorize expenditures from the Account.

The ESD may make expenditures for awareness and improved access for and acceptance of persons with disabilities; reimbursement for travel, reasonable accommodation, and meeting expenses for county Accessible Community Advisory Committees (Advisory Committee); establishing and maintaining an Accessible Communities Website; and a grant program to promote greater awareness of disability issues and access for persons with disabilities within the community.

Governor's Committee on Disability and Employment (Governor's Committee).

The Governor's Committee is required to determine eligibility of Accessible Community Advisory Committees for reimbursement or for grant funding and to solicit proposals for projects to improve disability awareness. The Governor's Committee will establish an Accessible Communities Website.

Accessible Community Advisory Committees.

The bill changes the name of the county advisory committee established under the state's election law to the Accessible Community Advisory Committee and allows counties to receive reimbursement from the Account to promote accessible communities. For the Advisory Committee to receive funding, it must be active. To be considered active, an active Advisory Committee must submit annual assurances to the Governor's committee. Members must be from a diverse range of disabilities who can identify attitudinal, programmatic, and physical barriers encountered by persons with disabilities. Adjacent counties may form joint advisory committees so long as only one county has a population greater than 70,000.

Traffic Infraction Penalties.

Penalties for all traffic infractions relating to use of special parking permits, parking spaces, or parking in, blocking or otherwise making inaccessible the access aisle located next to a space reserved for persons with physical disabilities, are raised from \$250 to \$450. Two hundred dollars of the increased penalty for an infraction is to be deposited into the Account.

Local Comprehensive Emergency Plan.

By 2010 the Governor's office, under the supervision of the Governor's Emergency Management Council, must facilitate a state and local work group to develop a planning template for local

emergency management jurisdictions to identify and respond to the needs of persons with disabilities when there is a disaster. The issues to be addressed are: notification; medications; refrigeration; backup power; access to mobility devices; service to animals while in transit or at shelters; and access to information. Local emergency management jurisdictions shall work with the Accessible Community Advisory Committee to complete the planning template and incorporate necessary changes to local comprehensive emergency plans by 2012.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.