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## Transportation Committee

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### HB 2463

**Brief Description:** Concerning special parking privileges for persons with disabilities.

**Sponsors:** Representatives S. Hunt, Johnson, Reykdal, Pike, Clibborn, Orcutt and Freeman.

#### Brief Summary of Bill

- Eliminates free parking as a special parking privilege for persons with disabilities, except where a local legislative authority has adopted an ordinance to provide free parking or parking beyond the posted time limit.
- Requires a health care practitioner to authorize special parking privileges on a prescription pad or the practitioner's office letterhead.
- Extends the maximum period of validity for temporary parking placards from six months to one year.
- Establishes a parking infraction for a persons' improper display of his or her parking placard or special license plate.
- Allows a court to order a person to surrender his or her parking placard, special parking plate, special year tab, or identification card for a violation of the laws regarding special parking privileges for persons with disabilities.
- Creates a misdemeanor for a person to sell a parking placard, special license plate, special year tab, or identification card.
- Changes the unauthorized use of special parking privileges from a parking infraction to a misdemeanor.

**Hearing Date:** 1/27/14

**Staff:** Andrew Russell (786-7143).

**Background:**

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*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.*

Washington law provides special parking privileges for persons with disabilities. Qualifying disabilities include a limited ability to walk, the use of portable oxygen, impaired breathing or cardiovascular function, an acute sensitivity to automobile emissions, impaired vision, or a sensitivity to light. To establish such a disability, an applicant must receive a determination by a qualifying medical professional, such as a licensed physician. Providing false information on an application for special parking privileges is a gross misdemeanor. Organizations may also apply for special parking privileges, including public transportation authorities, assisted living facilities, private nonprofit corporations, and registered cabulance companies.

Any person who qualifies for special parking privileges under this section must receive an identification card, and may receive special parking placards, a special parking license plate, or both. Alternatively, under certain circumstances, a person may receive a temporary parking placard, valid for up to six months. These parking placards and special license plates must be displayed on the motor vehicle, entitling persons with disabilities to park in reserved spaces.

Any qualified holder of these parking placards or a special license plate may park free of charge and beyond a posted time limit in public parking areas. It is an infraction, however, for a person to park in a space reserved for persons with physical disabilities without displaying the proper plate or placard or to block the access aisle located next to a space reserved for persons with physical disabilities. Any unauthorized use of a parking placard, special license plate, or identification card is also an infraction. Each of these infractions carries a total penalty of \$450. Finally, it is an infraction, carrying a penalty of \$250, to illegally obtain a parking placard, special license plate, or identification card.

These parking privileges must be renewed at least every five years. Finally, parking placards and the identification card must be returned to the Department of Licensing (DOL) upon the placard holder's death.

### **Summary of Bill:**

Free parking and parking beyond posting time limits for persons with disabilities is limited to only those who have a physical disability that substantially limits his or her ability to use a parking machine. A person may qualify for such additional parking privileges if her or she is limited in the ability to reach or grasp, approach a parking machine, or walk more than 20 feet. Nevertheless, local jurisdictions may adopt an ordinance to continue to provide parking free of charge or parking beyond the posted time limit for persons with disabilities. Additionally, the maximum period of validity for temporary parking placards is extended to 12 months.

The application materials for special parking privileges must include a warning that an applicant or health care practitioner who knowingly provides false information is guilty of a gross misdemeanor. During the application process, a health care practitioner must provide signed authorization on a prescription pad or office letterhead.

Parking placards issued by the DOL must include on the front of the placard a serial number and an expiration date, both of which must be clearly visible from a distance of 10 feet. Additionally, it is a traffic infraction for a person to fail to display the full face of such a placard when parked in a space reserved for persons with disabilities. This infraction carries a total penalty of \$450.

The unauthorized use of a parking placard, special license plate, special year tab, or the holder's identification card is made a misdemeanor. Additionally, it is a misdemeanor to illegally obtain or to sell a parking placard, special license plate, special year tab, or identification card. Finally, a court may order a person to surrender his or her placard, plate, tab, or card if he or she is found to have violated the provisions relating to special parking for persons with disabilities.

Finally, accessible van rental companies are added to the list of organizations that may apply for special parking privileges.

**Appropriation:** None.

**Fiscal Note:** Requested on January 23, 2014.

**Effective Date:** The bill takes effect on July 1, 2016.