

---

**SENATE BILL 5673**

---

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Randall, Saldaña, Wilson, C., and Nguyen

Read first time 01/28/19. Referred to Committee on Transportation.

1 AN ACT Relating to parking enforcement; adding a new section to  
2 chapter 47.04 RCW; adding a new section to chapter 81.112 RCW; and  
3 adding a new section to chapter 36.57A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.04  
6 RCW to read as follows:

7 (1) The department may charge a fee for vehicle parking or  
8 bicycle parking or both at department-owned park and ride lots. The  
9 department may charge fees that vary depending on criteria such as  
10 facility demand, user impacts, vehicle occupancy, vehicle type,  
11 vehicle size or length, time of day, duration of use, or other  
12 criteria or factors. The department shall establish by rule such fees  
13 and any revenue from such fees along with any other procedures  
14 necessary to carry out this section. The fees charged by the  
15 department under this section shall be used by the department and/or  
16 the operator of the parking facility to recoup costs to administer a  
17 parking management program and to maintain and operate the parking  
18 facilities.

19 (2) Any city, county, regional transit authority, metropolitan  
20 municipal corporation, or other public entity that operates or  
21 maintains:

1 (a) One or more department-owned park and ride lots by agreement  
2 with the department;

3 (b) One or more state funded park and ride lots; or

4 (c) Any combination of department-owned and state funded park and  
5 ride lots, may charge a fee for vehicle parking or bicycle parking or  
6 both. The municipality or regional transit authority or other public  
7 entity may charge fees that vary depending on criteria such as  
8 facility demand, user impacts, vehicle occupancy, vehicle type,  
9 vehicle size or length, time of day, duration of use, or other  
10 criteria or factors. The municipality or regional transit authority  
11 or other public entity shall adopt fees along with any other  
12 procedures necessary to carry out this section.

13 (3) A municipality or regional transit authority or other public  
14 entity may enter into an agreement or amend an existing agreement  
15 with the department to use funds from management and enforcement of  
16 parking facilities to recoup costs to administer a parking management  
17 and enforcement program and to maintain and operate those facilities.

18 (4) Funds in excess of the costs to administer a parking  
19 management and enforcement program and the costs to operate and  
20 maintain the facilities affected by this section shall be directed  
21 into a park and ride improvement account to be administered by the  
22 Washington state department of transportation. The purpose of this  
23 account shall be to fund improvements or other investments that  
24 support use of park and ride facilities, with a priority toward  
25 parking facilities operated under this section.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 81.112  
27 RCW to read as follows:

28 (1) Upon probable cause to believe that a violation of this  
29 chapter related to motor vehicle parking has occurred, an authorized  
30 agent of a regional transit authority may issue a notice of  
31 violation. An authority may designate persons to monitor payment for  
32 parking who are equivalent to and are authorized to exercise all the  
33 powers of an enforcement officer, defined in RCW 7.80.040. A regional  
34 transit authority is authorized to employ personnel to monitor  
35 payment for parking, or to contract for such services, or both.

36 (2) Upon probable cause to believe that a violation has occurred,  
37 a regional transit authority may issue a notice of violation setting  
38 forth the date, approximate time, locality, nature of violation,

1 identifiable characteristics of the vehicle if applicable, and amount  
2 of the fine.

3 (3) The regional transit authority is authorized to set by  
4 resolution a schedule of fines related to parking violations.

5 (4) The following information shall accompany and/or be printed  
6 on the notice of violation:

7 (a) The fine and instructions for payment; and

8 (b) Instruction for contesting the notice of violation, including  
9 where to obtain and submit petitions.

10 (5) The notice of violation shall be served on the person  
11 responsible for the violation by:

12 (a) Attaching a copy of the notice to the vehicle allegedly  
13 involved in the violation;

14 (b) Mailing a copy of the notice of violation to the registered  
15 owner of the vehicle; or

16 (c) Serving a copy of the notice of violation personally to the  
17 person responsible.

18 (6) The recipient of a parking violation must be provided with an  
19 opportunity to appeal the notice of violation.

20 (7) For any parking violation involving a motor vehicle that is  
21 registered to a permit holder, there shall be a prima facie  
22 presumption that the permit holder was the person who operated the  
23 motor vehicle in violation. The responsibility does not afford a  
24 defense to another person who was in violation.

25 (8) For any parking violation involving a motor vehicle that is  
26 not registered to a permit holder, there shall be a prima facie  
27 presumption that the registered owner of the motor vehicle was the  
28 person who operated the motor vehicle in violation. The  
29 responsibility does not afford a defense to another person who was in  
30 violation.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.57A  
32 RCW to read as follows:

33 (1) Upon probable cause to believe that a violation of this  
34 chapter related to motor vehicle parking has occurred, an authorized  
35 agent of a public transportation benefit area may issue a notice of  
36 violation. A public transportation benefit area authority may  
37 designate persons to monitor payment for parking who are equivalent  
38 to and are authorized to exercise all the powers of an enforcement  
39 officer, defined in RCW 7.80.040. A public transportation benefit

1 area authority is authorized to employ personnel to monitor payment  
2 for parking, or to contract for such services, or both.

3 (2) Upon probable cause to believe that a violation has occurred,  
4 a public transportation area authority may issue a notice of  
5 violation setting forth the date, approximate time, locality, nature  
6 of violation, identifiable characteristics of the vehicle if  
7 applicable, and amount of the fine.

8 (3) The public transportation benefit area authority is  
9 authorized to set by resolution a schedule of fines related to  
10 parking violations.

11 (4) The following information shall accompany and/or be printed  
12 on the notice of violation:

13 (a) The fine and instructions for payment; and

14 (b) Instruction for contesting the notice of violation, including  
15 where to obtain and submit petitions.

16 (5) The notice of violation shall be served on the person  
17 responsible for the violation by:

18 (a) Attaching a copy of the notice to the vehicle allegedly  
19 involved in the violation;

20 (b) Mailing a copy of the notice of violation to the registered  
21 owner of the vehicle; or

22 (c) Serving a copy of the notice of violation personally to the  
23 person responsible.

24 (6) The recipient of a parking violation must be provided with an  
25 opportunity to appeal the notice of violation.

26 (7) For any parking violation involving a motor vehicle that is  
27 registered to a permit holder, there shall be a prima facie  
28 presumption that the permit holder was the person who operated the  
29 motor vehicle in violation. The responsibility does not afford a  
30 defense to another person who was in violation.

31 (8) For any parking violation involving a motor vehicle that is  
32 not registered to a permit holder, there shall be a prima facie  
33 presumption that the registered owner of the motor vehicle was the  
34 person who operated the motor vehicle in violation. The  
35 responsibility does not afford a defense to another person who was in  
36 violation.

--- END ---