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## Human Services Committee

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### ESSB 5902

**Brief Description:** Promoting accessible communities for persons with disabilities.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Pridemore, Fraser, McAuliffe, Kline, Kohl-Welles and McDermott).

#### Brief Summary of Engrossed Substitute Bill

- Creates an Accessible Communities Account to be administered by the Commissioner of the Employment Security Department.
- Requires the Governor's Committee on Disability Issues and Employment to determine eligibility of Accessible Community Advisory Committees (Accessible Community Committee) for reimbursement and grant funding and to solicit proposals for projects to improve disability awareness.
- Allows counties that have established active Accessible Advisory Committees for promotion of accessible communities to be reimbursed for travel and other expenses incurred for the Accessible Community Committees' meetings.
- Increases parking infraction penalties for blocking or otherwise making inaccessible the access aisle located next to a space reserved for persons with physical disabilities or for parking in a parking space reserved for persons with disabilities and requires that a portion of the penalties collected for parking infractions are to be deposited into the account.

**Hearing Date:** 2/17/10

**Staff:** Linda Merelle (786-7092).

**Background:**

County Advisory Committees.

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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.*

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; or
- one special disabled parking year tab and one blue placard.

#### Traffic and Parking Infraction Penalties.

It is a traffic infraction to, without authorization, use a special placard, special license plate, or identification card issued to persons with disabilities. The fine for this infraction is \$250.

It is a parking infraction to park a vehicle in a space reserved for a person with a physical disability without a placard or special license plate, or to make inaccessible the access aisle located next to a space reserved for a person with a physical disability. The fine is \$250.

#### **Summary of Bill:**

#### Accessible Communities Account.

The Accessible Communities Account (Account) is created under this act. Two hundred dollars (\$200) from each full penalty imposed under parking infractions related to persons with disabilities is to be deposited into the Account. If less than a full penalty is imposed, a proportionate amount is deposited into the Account. The Account is subject to allotment procedures, but an appropriation is not required for expenditures. Only the Commissioner of the Employment Security Department may authorize expenditures from the Account. The Account is included in the list of funds that receive their monthly proportionate share of investment income earnings based upon the average daily balance for the month.

Expenditures from the Account are to be used for:

- promoting greater awareness of disability issues and improved access and inclusion and acceptance of persons with disabilities;
- reimbursing travel and other expenses for County Accessible Community Advisory Committee (Accessible Community Committee) meetings and committee-sponsored activities, including supporting the involvement of people with disabilities and disability organizations in emergency preparedness activities;
- establishing and maintaining an accessible communities web site;
- providing training or technical assistance for county Accessible Community Committees;
- funding of grants aimed at promoting greater awareness of disability issues and acceptance and inclusion of persons with disabilities;
- reimbursing the state agency that provides administrative support to the Governor's Committee on Disability Issues and Employment (Governor's Committee) for costs associated with implementing this act; and
- programming changes to the judicial information system accounting module for disbursement of funds to this Account.

#### Governor's Committee on Disability Issues and Employment.

The Governor's Committee is required to:

- determine eligibility of Accessible Community Committees for reimbursement for grant funding;
- solicit proposals from active Accessible Community Committee projects to improve disability awareness and access for persons with disabilities;
- develop a web site to provide the following: guidance; technical assistance; reference materials; resource identification for local governments; Accessible Community Committees; public accommodations; best practices in promoting disability awareness issues; and searchable listings of local public accommodations that have taken steps to be more "disability friendly."

The Commissioner of the Employment Security Department must adopt rules to administer required actions of the Governor's Committee.

#### Accessible Community Advisory Committee.

A county has the option to expand the scope of 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. The advisory committee may be expanded to that of an Accessible Community Advisory Committee (Accessible Community Committee).

A county may establish that it has an Accessible Community Committee by submitting biennial assurances to the Governor's Committee that the county legislative authority has made a decision to establish an Accessible Community Committee and that the county auditor supports the expansion.

Accessible Community Committee members are to include persons with a diverse range of disabilities and knowledge in identifying physical and social barriers encountered by persons with disabilities. The committee is to be actively involved in an advisory role regarding:

- the needs of persons with disabilities in emergency plans;
- access to services and activities;
- new construction and renovation projects;
- sidewalks and other pedestrian routes of travel;
- disability parking enforcement; and
- developing local initiatives to promote awareness, acceptance, involvement, and access for persons with disabilities within the community.

Counties may form joint Accessible Community Committees, provided that only one of the participating counties has a population greater than 70,000 persons.

#### Parking Infractions.

The unauthorized use of a special placard, special license plate, or identification card is changed from a "traffic infraction" to a "parking infraction." The monetary penalty for this infraction is increased from \$250 to \$450.

For the parking infraction of parking in, blocking, or otherwise making inaccessible the access aisle located next to a space reserved for persons with physical disabilities, the penalty is increased from \$250 to \$450.

The penalty for the parking infraction of unauthorized parking in a space provided for persons with physical disabilities is increased from \$250 to \$450.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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