

# SENATE BILL REPORT

## ESB 5873

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As Passed Senate, March 10, 1995

**Title:** An act relating to raising the fine for parking in places reserved for physically disabled persons.

**Brief Description:** Raising the fine for parking in places reserved for physically handicapped persons.

**Sponsors:** Senators Fairley, Owen, Fraser, Smith, Prentice, Kohl and Oke.

**Brief History:**

**Committee Activity:** Law & Justice: 2/23/95 [DP].  
Passed Senate, 3/10/95, 46-0.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Dick Armstrong (786-7460)

**Background:** Current law allows the director of the Department of Licensing to grant special parking privileges to any person with a disability that substantially limits his or her ability to walk. These persons are issued special license plates or placards that allow them to park in parking places reserved for physically disabled persons.

Any person who is not authorized to park his or her car in a parking place reserved for physically disabled persons is subject to a base fine of \$50. In addition to the \$50 fine, offenders may be subject to two additional penalty enhancements: (1) a public safety and education assessment (PSEA) of an amount equal to 60 percent of the fine; and (2) a PSEA of an amount equal to 50 percent of the amount in (1) above. The maximum fine for parking in a disabled parking place under state law is  $\$50 + \$30 + \$15 = \$95$ .

It is suggested that the frequency of unauthorized persons using disabled parking places would decrease if a greater monetary penalty were imposed.

**Summary of Bill:** Any person who parks an unauthorized vehicle in a parking place reserved for disabled persons is subject to a monetary penalty of \$250, plus any additional public safety and education assessments imposed by the court. The same monetary penalty applies to disabled parking violations occurring on the state capitol grounds.

**Appropriation:** None.

**Fiscal Note:** Requested on February 17, 1995.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Other states such as Oregon and California have higher penalties than Washington. The present penalty does not deter people from unauthorized parking. Disabled parking is necessary for some people to use certain facilities.

**Testimony Against:** None.

**Testified:** Senator Fairley, prime sponsor; Mert Obert, Capitol Area Stroke Club (pro); Janice Skinner, Active Disabilities of Grays Harbor (pro).

**House Amendment(s):** The House amendment decreases the fine from \$250 to \$100 and designates the offense of unlawfully parking in a disabled parking space as a "parking infraction." References to code sections which require local jurisdictions to remit a portion of fees to the State Treasurer are deleted since fees collected for parking infractions are retained completely by the local jurisdiction.