
HOUSE BILL 1262

State of Washington

55th Legislature

1997 Regular Session

By Representatives Scott, Zellinsky, O'Brien, Sterk, Blalock, Anderson, Cole, Murray, Cooper, Mason, Quall, Johnson, Kessler, Bush and Robertson

Read first time 01/20/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to special parking privileges for disabled persons;
2 amending RCW 46.16.381; and prescribing penalties.

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

4 **Sec. 1.** RCW 46.16.381 and 1995 c 384 s 1 are each amended to read
5 as follows:

6 (1) The director shall grant special parking privileges to any
7 person who has a disability that limits or impairs the ability to walk
8 and meets one of the following criteria, as determined by a licensed
9 physician:

10 (a) Cannot walk two hundred feet without stopping to rest;

11 (b) Is severely limited in ability to walk due to arthritic,
12 neurological, or orthopedic condition;

13 (c) Is so severely disabled, that the person cannot walk without
14 the use of or assistance from a brace, cane, another person, prosthetic
15 device, wheelchair, or other assistive device;

16 (d) Uses portable oxygen;

17 (e) Is restricted by lung disease to such an extent that forced
18 expiratory respiratory volume, when measured by spirometry is less than

1 one liter per second or the arterial oxygen tension is less than sixty
2 mm/hg on room air at rest;

3 (f) Impairment by cardiovascular disease or cardiac condition to
4 the extent that the person's functional limitations are classified as
5 class III or IV under standards accepted by the American Heart
6 Association; or

7 (g) Has a disability resulting from an acute sensitivity to
8 automobile emissions which limits or impairs the ability to walk. The
9 personal physician of the applicant shall document that the disability
10 is comparable in severity to the others listed in this subsection.

11 (2) Persons who qualify for special parking privileges are entitled
12 to receive from the department of licensing a removable windshield
13 placard bearing the international symbol of access and the picture of
14 the person to whom the placard is issued. The department shall design
15 the placard to be displayed when the vehicle is parked by suspending it
16 from the rearview mirror, or in the absence of a rearview mirror the
17 card may be displayed on the dashboard of any vehicle used to transport
18 the disabled person. Instead of regular motor vehicle license plates,
19 disabled persons are entitled to receive special license plates bearing
20 the international symbol of access for one vehicle registered in the
21 disabled person's name. Disabled persons who are not issued the
22 special license plates are entitled to receive a second special
23 placard. Persons who have been issued the parking privileges and who
24 are using a vehicle or are riding in a vehicle displaying the special
25 license plates or placard may park in places reserved for mobility
26 disabled persons. The director shall adopt rules providing for the
27 issuance of special placards and license plates to public
28 transportation authorities, nursing homes licensed under chapter 18.51
29 RCW, boarding homes licensed under chapter 18.20 RCW, senior citizen
30 centers, private nonprofit agencies as defined in chapter 24.03 RCW,
31 and vehicles registered with the department as cabulances that
32 regularly transport disabled persons who have been determined eligible
33 for special parking privileges provided under this section. The
34 director may issue special license plates for a vehicle registered in
35 the name of the public transportation authority, nursing home, boarding
36 homes, senior citizen center, private nonprofit agency, or cabulance
37 service if the vehicle is primarily used to transport persons with
38 disabilities described in this section. Public transportation
39 authorities, nursing homes, boarding homes, senior citizen centers,

1 private nonprofit agencies, and cabulance services are responsible for
2 insuring that the special placards and license plates are not used
3 improperly and are responsible for all fines and penalties for improper
4 use.

5 (3) Whenever the disabled person transfers or assigns his or her
6 interest in the vehicle, the special license plates shall be removed
7 from the motor vehicle. If another vehicle is acquired by the disabled
8 person and the vehicle owner qualifies for a special plate, the plate
9 shall be attached to the vehicle, and the director shall be immediately
10 notified of the transfer of the plate. If another vehicle is not
11 acquired by the disabled person, the removed plate shall be immediately
12 surrendered to the director.

13 (4) The special license plate shall be renewed in the same manner
14 and at the time required for the renewal of regular motor vehicle
15 license plates under this chapter. No special license plate may be
16 issued to a person who is temporarily disabled. A person who has a
17 condition expected to improve within six months may be issued a
18 temporary placard for a period not to exceed six months. The director
19 may issue a second temporary placard during that period if requested by
20 the person who is temporarily disabled. If the condition exists after
21 six months a new temporary placard shall be issued upon receipt of a
22 new certification from the disabled person's physician. The parking
23 placard of a disabled person shall be renewed, when required by the
24 director, by satisfactory proof of the right to continued use of the
25 privileges.

26 (5) Additional fees shall not be charged for the issuance of the
27 special placards. No additional fee may be charged for the issuance of
28 the special license plates except the regular motor vehicle
29 registration fee and any other fees and taxes required to be paid upon
30 registration of a motor vehicle.

31 (6) Any unauthorized use of the special placard or the special
32 license plate is a gross misdemeanor.

33 (7) It is a parking infraction, with a monetary penalty of ~~((one))~~
34 five hundred ~~((seventy-five))~~ dollars for any person to park a vehicle
35 in a parking place provided on private property without charge or on
36 public property reserved for physically disabled persons without a
37 special license plate or placard. If a person is charged with a
38 violation, the person shall not be determined to have committed an
39 infraction if the person produces in court or before the court

1 appearance the special license plate or placard required under this
2 section. A local jurisdiction providing on-street parking places
3 reserved for physically disabled persons may impose by ordinance time
4 restrictions on the use of these parking places.

5 (8) The penalty imposed under subsection (7) of this section shall
6 be used by that local jurisdiction exclusively for law enforcement.
7 The court may also impose an additional penalty sufficient to reimburse
8 the local jurisdiction for any costs it may have incurred in removal
9 and storage of the improperly parked vehicle.

10 (9) It is a gross misdemeanor for any person to willfully obtain a
11 special license plate or placard in a manner other than that
12 established under this section.

--- END ---