

1 1634-S AMH APPE H4397.1

2 SHB 1634 - H AMD 0027 ADOPTED 2/10/92

3 By Representative Appelwick

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 46.16.381 and 1991 c 339 s 21 are each amended to
8 read as follows:

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

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

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

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

19 (d) Uses portable oxygen;

20 (e) Is restricted by lung disease to such an extent that forced
21 expiratory respiratory volume, when measured by spirometry is less than
22 one liter per second or the arterial oxygen tension is less than sixty
23 mm/hg on room air at rest;

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

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

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

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

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

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

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

1 (6) Any unauthorized use of the special placard or the special
2 license plate is a misdemeanor.

3 (7) It is a traffic infraction, with a monetary penalty of (~~not~~
4 ~~less than fifteen and not more than~~) fifty dollars for any person to
5 park a vehicle in a parking place provided on private property without
6 charge or on public property reserved for physically disabled persons
7 without a special license plate or placard. If a person is charged
8 with a violation, the person shall not be determined to have committed
9 an infraction if the person produces in court or before the court
10 appearance the special license plate or placard required under this
11 section.

12 (8) The portion of any penalty imposed under subsection (7) of this
13 section that is retained by a local jurisdiction pursuant to RCW
14 3.46.120, 3.50.100, 3.62.020, 3.62.040, or 35.20.220 shall be used by
15 that local jurisdiction exclusively for law enforcement. The court may
16 also impose an additional penalty sufficient to reimburse the local
17 jurisdiction for any costs it may have incurred in removal and storage
18 of the improperly parked vehicle.

19 (9) It is a misdemeanor for any person to willfully obtain a
20 special license plate or placard in a manner other than that
21 established under this section."

22 **SHB 1634** - H AMD
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25 In line 2 of the title, after "persons;" strike the remainder of
26 the title and insert "amending RCW 46.16.381; and prescribing
27 penalties."