
SENATE BILL 6009

State of Washington 56th Legislature 1999 Regular Session

By Senators Oke and Haugen; by request of Department of Licensing

Read first time 02/22/1999. Referred to Committee on Transportation.

1 AN ACT Relating to nonphoto identification cards for disabled
2 parking; and amending RCW 46.16.381.

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

4 **Sec. 1.** RCW 46.16.381 and 1998 c 294 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) The applications for disabled parking permits and temporary
12 disabled parking permits are official state documents. Knowingly
13 providing false information in conjunction with the application is a
14 gross misdemeanor punishable under chapter 9A.20 RCW. The following
15 statement must appear on each application form immediately below the
16 physician's signature and immediately below the applicant's signature:
17 "A disabled parking permit may be issued only for a medical necessity
18 that severely affects mobility (RCW 46.16.381). Knowingly providing
19 false information on this application is a gross misdemeanor. The
20 penalty is up to one year in jail and a fine of up to \$5,000 or both."

21 (3) Persons who qualify for special parking privileges are entitled
22 to receive from the department of licensing a removable windshield
23 placard bearing the international symbol of access and an individual
24 serial number, along with a special identification card bearing the
25 ((~~photograph~~)) name((~~7~~)) and date of birth of the person to whom the
26 placard is issued, and the placard's serial number. The special
27 identification card shall be issued to all persons who are issued
28 parking placards, including those issued for temporary disabilities,
29 and special disabled parking license plates. The department, in
30 conjunction with the governor's committee on disability issues and
31 employment, shall assess options for issuing a photo identification
32 card to each person who qualifies for a permanent parking placard, a
33 temporary parking placard, or a special disabled parking license plate
34 and report findings to the legislative transportation committee no
35 later than December 31, 2000. The department shall design the placard
36 to be displayed when the vehicle is parked by suspending it from the
37 rearview mirror, or in the absence of a rearview mirror the card may be
38 displayed on the dashboard of any vehicle used to transport the
39 disabled person. Instead of regular motor vehicle license plates,

1 disabled persons are entitled to receive special license plates bearing
2 the international symbol of access for one vehicle registered in the
3 disabled person's name. Disabled persons who are not issued the
4 special license plates are entitled to receive a second special placard
5 upon submitting a written request to the department. Persons who have
6 been issued the parking privileges and who are using a vehicle or are
7 riding in a vehicle displaying the special license plates or placard
8 may park in places reserved for mobility disabled persons. The
9 director shall adopt rules providing for the issuance of special
10 placards and license plates to public transportation authorities,
11 nursing homes licensed under chapter 18.51 RCW, boarding homes licensed
12 under chapter 18.20 RCW, senior citizen centers, private nonprofit
13 agencies as defined in chapter 24.03 RCW, and vehicles registered with
14 the department as cabulances that regularly transport disabled persons
15 who have been determined eligible for special parking privileges
16 provided under this section. The director may issue special license
17 plates for a vehicle registered in the name of the public
18 transportation authority, nursing home, boarding homes, senior citizen
19 center, private nonprofit agency, or cabulance service if the vehicle
20 is primarily used to transport persons with disabilities described in
21 this section. Public transportation authorities, nursing homes,
22 boarding homes, senior citizen centers, private nonprofit agencies, and
23 cabulance services are responsible for insuring that the special
24 placards and license plates are not used improperly and are responsible
25 for all fines and penalties for improper use.

26 (4) Whenever the disabled person transfers or assigns his or her
27 interest in the vehicle, the special license plates shall be removed
28 from the motor vehicle. If another vehicle is acquired by the disabled
29 person and the vehicle owner qualifies for a special plate, the plate
30 shall be attached to the vehicle, and the director shall be immediately
31 notified of the transfer of the plate. If another vehicle is not
32 acquired by the disabled person, the removed plate shall be immediately
33 surrendered to the director.

34 (5) The special license plate shall be renewed in the same manner
35 and at the time required for the renewal of regular motor vehicle
36 license plates under this chapter. No special license plate may be
37 issued to a person who is temporarily disabled. A person who has a
38 condition expected to improve within six months may be issued a
39 temporary placard for a period not to exceed six months. If the

1 condition exists after six months a new temporary placard shall be
2 issued upon receipt of a new certification from the disabled person's
3 physician. The permanent parking placard and ((photo)) identification
4 card of a disabled person shall be renewed at least every five years,
5 as required by the director, by satisfactory proof of the right to
6 continued use of the privileges. In the event of the permit holder's
7 death, the parking placard and ((photo)) identification card must be
8 immediately surrendered to the department. The department shall match
9 and purge its disabled permit data base with available death record
10 information at least every twelve months.

11 (6) Each person who has been issued a permanent disabled parking
12 permit on or before July 1, 1998, must renew the permit no later than
13 July 1, 2003, subject to a schedule to be set by the department, or the
14 permit will expire.

15 (7) Additional fees shall not be charged for the issuance of the
16 special placards or the ((photo)) identification cards. No additional
17 fee may be charged for the issuance of the special license plates
18 except the regular motor vehicle registration fee and any other fees
19 and taxes required to be paid upon registration of a motor vehicle.

20 (8) Any unauthorized use of the special placard, special license
21 plate, or ((photo)) identification card is a traffic infraction with a
22 monetary penalty of two hundred fifty dollars.

23 (9) It is a parking infraction, with a monetary penalty of two
24 hundred fifty dollars for a person to make inaccessible the access
25 aisle located next to a space reserved for physically disabled persons.
26 The clerk of the court shall report all violations related to this
27 subsection to the department.

28 (10) It is a parking infraction, with a monetary penalty of two
29 hundred fifty dollars for any person to park a vehicle in a parking
30 place provided on private property without charge or on public property
31 reserved for physically disabled persons without a special license
32 plate or placard. If a person is charged with a violation, the person
33 shall not be determined to have committed an infraction if the person
34 produces in court or before the court appearance the special license
35 plate or placard required under this section. A local jurisdiction
36 providing nonmetered, on-street parking places reserved for physically
37 disabled persons may impose by ordinance time restrictions of no less
38 than four hours on the use of these parking places. A local
39 jurisdiction may impose by ordinance time restrictions of no less than

1 four hours on the use of nonreserved, on-street parking spaces by
2 vehicles displaying the special parking placards. All time
3 restrictions must be clearly posted.

4 (11) The penalties imposed under subsections (9) and (10) of this
5 section shall be used by that local jurisdiction exclusively for law
6 enforcement. The court may also impose an additional penalty
7 sufficient to reimburse the local jurisdiction for any costs it may
8 have incurred in removal and storage of the improperly parked vehicle.

9 (12) Except as provided by subsection (2) of this section, it is a
10 traffic infraction with a monetary penalty of two hundred fifty dollars
11 for any person willfully to obtain a special license plate, placard, or
12 ((photo)) identification card in a manner other than that established
13 under this section.

14 (13)(a) A law enforcement agency authorized to enforce parking laws
15 may appoint volunteers, with a limited commission, to issue notices of
16 infractions for violations of this section or RCW 46.61.581.
17 Volunteers must be at least twenty-one years of age. The law
18 enforcement agency appointing volunteers may establish any other
19 qualifications the agency deems desirable.

20 (b) An agency appointing volunteers under this section must provide
21 training to the volunteers before authorizing them to issue notices of
22 infractions.

23 (c) A notice of infraction issued by a volunteer appointed under
24 this subsection has the same force and effect as a notice of infraction
25 issued by a police officer for the same offense.

26 (d) A police officer or a volunteer may request a person to show
27 the person's ((photo)) identification card or special parking placard
28 when investigating the possibility of a violation of this section. If
29 the request is refused, the person in charge of the vehicle may be
30 issued a notice of infraction for a violation of this section.

31 (14) For second or subsequent violations of this section, in
32 addition to a monetary fine, the violator must complete a minimum of
33 forty hours of:

34 (a) Community service for a nonprofit organization that serves the
35 disabled community or persons having disabling diseases; or

36 (b) Any other community service that may sensitize the violator to
37 the needs and obstacles faced by persons who have disabilities.

1 (15) The court may not suspend more than one-half of any fine
2 imposed under subsection (8), (9), (10), or (12) of this section.

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