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SENATE BILL 6619

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State of Washington

65th Legislature

2018 Regular Session

By Senator Sheldon

1 AN ACT Relating to the use of "van accessible" parking spots; and  
2 amending RCW 46.19.030 and 46.19.050.

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

4 **Sec. 1.** RCW 46.19.030 and 2016 c 84 s 5 are each amended to read  
5 as follows:

6 (1) The department shall design special license plates for  
7 persons with disabilities, parking placards, and year tabs displaying  
8 the international symbol of access.

9 (2) Special license plates for persons with disabilities must be  
10 displayed on the motor vehicle as standard issue license plates as  
11 described in RCW 46.16A.200.

12 (3) Parking placards must include both a serial number and the  
13 expiration date on the face of the placard. The expiration date and  
14 serial number must be of a sufficient size as to be easily visible  
15 from a distance of ten feet from where the placard is displayed.

16 (4) Parking placards must be displayed when the motor vehicle is  
17 parked by suspending it from the rearview mirror. In the absence of a  
18 rearview mirror, the parking placard must be displayed on the  
19 dashboard. The parking placard must be displayed in a manner that  
20 allows for the entire placard to be viewed through the vehicle  
21 windshield.

1 (5) Special year tabs for persons with disabilities must be  
2 displayed on license plates or metal tags issued pursuant to RCW  
3 46.09.442, in a manner as defined by the department.

4 (6) Persons who have been issued special license plates for  
5 persons with disabilities, parking placards, or special license  
6 plates with a special year tab for persons with disabilities may park  
7 in places reserved for persons with physical disabilities. However,  
8 persons may not park in parking spaces designated as "van accessible"  
9 under RCW 19.27.550 unless they are parking vans equipped for  
10 wheelchairs or mobility equipment.

11 **Sec. 2.** RCW 46.19.050 and 2014 c 124 s 6 are each amended to  
12 read as follows:

13 (1) **False information.** Knowingly providing false information in  
14 conjunction with the application for special parking privileges for  
15 persons with disabilities is a gross misdemeanor punishable under  
16 chapter 9A.20 RCW.

17 (2) **Unauthorized use.** Any unauthorized use of the parking  
18 placard, special license plate, special year tab, or identification  
19 card issued under this chapter is a parking infraction with a  
20 monetary penalty of two hundred fifty dollars. In addition to any  
21 penalty or fine imposed under this subsection, two hundred dollars  
22 must be assessed. For the purpose of this subsection, "unauthorized  
23 use" includes (a) any use of a parking placard, special license  
24 plate, special year tab, or identification card that is expired,  
25 inactivated, faked, forged, or counterfeited, (b) any use of a  
26 parking placard, special license plate, special year tab, or  
27 identification card to park in a "van accessible" parking space under  
28 RCW 19.27.550 when not actually parking a van equipped for  
29 wheelchairs or mobility equipment, (c) any use of a parking placard,  
30 special license plate, special year tab, or identification card of  
31 another holder if the initial holder is no longer eligible to use or  
32 receive it, and ~~((e))~~ (d) any use of a parking placard, special  
33 license plate, special year tab, or identification card of another  
34 holder even if permitted to do so by the holder.

35 (3) **Inaccessible access.** It is a parking infraction, with a  
36 monetary penalty of two hundred fifty dollars, for a person to stop,  
37 stand, or park in, block, or otherwise make inaccessible the access  
38 aisle located next to a space reserved for persons with physical  
39 disabilities. In addition to any penalty or fine imposed under this

1 subsection, two hundred dollars must be assessed. The clerk of the  
2 court shall report all violations related to this subsection to the  
3 department.

4 (4) **Parking without placard/plate.** It is a parking infraction,  
5 with a monetary penalty of two hundred fifty dollars, for any person  
6 to park a vehicle in a parking place provided on private property  
7 without charge or on public property reserved for persons with  
8 physical disabilities without a placard or special license plate  
9 issued under this chapter. In addition to any penalty or fine imposed  
10 under this subsection, two hundred dollars must be assessed. If a  
11 person is charged with a violation, the person will not be determined  
12 to have committed an infraction if the person establishes that the  
13 person operating the vehicle or being transported at the time of the  
14 infraction had a valid placard, special license plate, or special  
15 year tab issued under this chapter as required under this chapter.  
16 Such person must sign a statement under penalty of perjury that the  
17 placard, special license plate, or special year tab produced prior to  
18 the court appearance was valid at the time of infraction and issued  
19 under this chapter as required under this chapter.

20 (5) **Time restrictions.** A local jurisdiction may impose by  
21 ordinance time restrictions of no less than four hours on the use of  
22 nonreserved, on-street parking spaces by vehicles displaying the  
23 special parking placards or special license plates issued under this  
24 chapter. All time restrictions must be clearly posted.

25 (6) **Improper display of placard/plate.** It is a parking  
26 infraction, with a monetary penalty of two hundred fifty dollars, to  
27 fail to fully display a placard or special license plate issued under  
28 this chapter while parked in a public place on private property  
29 without charge, while parked on public property reserved for persons  
30 with physical disabilities, or while parking free of charge as  
31 allowed under RCW 46.61.582. In addition to any penalty or fine  
32 imposed under this subsection, two hundred dollars must be assessed,  
33 for a total of four hundred fifty dollars. For the purpose of this  
34 subsection, "fully display" means hanging or placing the placard or  
35 special license plate so that the full face of the placard or license  
36 plate is visible, including the serial number and expiration date of  
37 the license plate or placard. If a person is charged with a violation  
38 of this subsection, that person will not be determined to have  
39 committed an infraction if the person produces in court or before the

1 court appearance a valid identification card issued to that person  
2 under RCW 46.19.010.

3 (7) **Allocation and use of funds - reimbursement.** (a) The  
4 assessment imposed under subsections (2), (3), (4), and (6) of this  
5 section must be allocated as follows:

6 (i) One hundred dollars must be deposited in the accessible  
7 communities account created in RCW 50.40.071; and

8 (ii) One hundred dollars must be deposited in the multimodal  
9 transportation account under RCW 47.66.070 for the sole purpose of  
10 supplementing a grant program for special needs transportation  
11 provided by transit agencies and nonprofit providers of  
12 transportation that is administered by the department of  
13 transportation.

14 (b) Any reduction in any penalty or fine and assessment imposed  
15 under subsections (2), (3), (4), and (6) of this section must be  
16 applied proportionally between the penalty or fine and the  
17 assessment. When a reduced penalty is imposed under subsection (2),  
18 (3), (4), or (6) of this section, the amount deposited in the  
19 accounts identified in (a) of this subsection must be reduced equally  
20 and proportionally.

21 (c) The penalty or fine amounts must be used by that local  
22 jurisdiction exclusively for law enforcement. The court may also  
23 impose an additional penalty sufficient to reimburse the local  
24 jurisdiction for any costs that it may have incurred in the removal  
25 and storage of the improperly parked vehicle.

26 (8) **Illegal obtainment.** Except as provided in subsection (1) of  
27 this section, it is a misdemeanor punishable under chapter 9A.20 RCW  
28 for any person willfully to obtain a special license plate, placard,  
29 special year tab, or identification card issued under this chapter in  
30 a manner other than that established under this chapter.

31 (9) **Sale of a placard/plate/tab/card.** It is a misdemeanor  
32 punishable under chapter 9A.20 RCW for any person to sell a placard,  
33 special license plate, special year tab, or identification card  
34 issued under this chapter.

35 (10) **Volunteer appointment.** A law enforcement agency authorized  
36 to enforce parking laws may appoint volunteers, with a limited  
37 commission, to issue notices of infractions for violations of  
38 subsections (2), (3), (4), and (6) of this section or RCW 46.19.030  
39 or 46.61.581. Volunteers must be at least twenty-one years of age.

1 The law enforcement agency appointing volunteers may establish any  
2 other qualifications that the agency deems desirable.

3 (a) An agency appointing volunteers under this section must  
4 provide training to the volunteers before authorizing them to issue  
5 notices of infractions.

6 (b) A notice of infraction issued by a volunteer appointed under  
7 this subsection has the same force and effect as a notice of  
8 infraction issued by a peace officer for the same offense.

9 (c) A peace officer or a volunteer may request a person to show  
10 the person's identification card or special parking placard when  
11 investigating the possibility of a violation of this section. If the  
12 request is refused, the person in charge of the vehicle may be issued  
13 a notice of infraction for a violation of this section.

14 (11) **Surrender of a placard/plate/tab/card.** If a person is found  
15 to have violated the special parking privileges provided in this  
16 chapter, and unless an appeal of that finding is pending, a judge may  
17 order that the person surrender his or her placard, special license  
18 plate, special year tab, or identification card issued under this  
19 chapter.

20 (12) **Community restitution.** For second or subsequent violations  
21 of this section, in addition to a monetary penalty, the violator must  
22 complete a minimum of forty hours of:

23 (a) Community restitution for a nonprofit organization that  
24 serves persons with disabilities or disabling diseases; or

25 (b) Any other community restitution that may sensitize the  
26 violator to the needs and obstacles faced by persons with  
27 disabilities.

28 (13) **Fine suspension.** The court may not suspend more than one-  
29 half of any fine imposed under subsection (2), (3), (4), or (6) of  
30 this section.

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