

SENATE BILL REPORT

SHB 1946

As Reported by Senate Committee On:
Transportation, March 21, 2013

Title: An act relating to special parking privileges for persons with disabilities.

Brief Description: Concerning special parking privileges for persons with disabilities.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Hunt and Reykdal).

Brief History: Passed House: 3/09/13, 98-0.

Committee Activity: Transportation: 3/19/13, 3/21/13 [DPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Billig, Brown, Harper, Mullet, Schlicher, Sheldon and Smith.

Staff: Kim Johnson (786-7472)

Background: The Department of Licensing (DOL) must grant special parking privileges to a person with a disability who meets at least one condition of a specified list of criteria, as determined by a licensed physician, advanced nurse practitioner, or physician assistant. If a person is granted a special parking privilege, DOL must provide the person with either special license plates or parking placards containing the international symbol of access, and an identification card. However, a person with a disability that is expected to improve within six months may be issued a temporary placard for a period not to exceed six months, and is not eligible for the special license plate.

Parking privileges for persons with disabilities must be renewed at least every five years. Parking placards and identification cards must be immediately returned to DOL upon the placard holder's death. Certain organizations may also apply for special parking privileges and include public transportation authorities; nursing homes, assisted living facilities, and senior citizen centers; private nonprofit corporations; and registered cabulance companies. These organizations are responsible for ensuring that the special placards and license plates are used properly and are responsible for all fines and penalties for improper use.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Knowingly providing false information in the application for special parking privileges for persons with disabilities is a gross misdemeanor. It is a traffic infraction which carries a penalty of \$250 to willfully obtain a special license plate, placard, or identification card for special parking privileges in a manner other than that provided under state law.

Parking placards must hang on the rearview mirror or be displayed on the dashboard. It is a parking infraction with a penalty of \$250 for any person to park a vehicle in a parking place reserved for persons with physical disabilities without a placard or special license plate. In addition to the \$250 penalty, \$200 must be assessed for a combined total penalty of \$450. However, if a person produces a valid placard or special license plate, then the person will be determined to have not committed the infraction.

Summary of Bill (Recommended Amendments): Parking placards for persons with a disability must include on the front of the placard a serial number and an expiration date, both of which must be clearly visible from a distance of ten feet. It is a parking infraction for a person to fail to fully display the placard while parked in a space reserved for persons with disabilities. The penalty for the infraction is \$250 with an additional \$200 assessment. A person will not be determined to have committed the infraction if the person produces a valid special parking privileges identification card.

The definition of unauthorized use of a parking placard or special license plate is clarified to include the use of a placard or license plate that is expired, faked, forged, or counterfeited. Unauthorized use also includes use of the placard or special license plate of another holder, if the initial holder is no longer eligible to use or receive it.

It is a traffic infraction with a \$250 penalty to make a misrepresentation to a medical professional in order to obtain a special license plate or placard, or to steal a special license plate or placard.

Accessible van rental companies are added to the list of organizations that may apply for special parking privileges.

DOL must establish a workgroup in order to examine the use of parking placards and special license plates for persons with disabilities, which must be comprised of no more than two representatives from each of the following entities: the Department of Health, disabled citizen advocacy groups, and local governments. The workgroup is tasked with developing a strategic plan to end any abuse of these special parking privileges. The strategic plan must include oversight measures that ensure parking placards and special license plates for persons with disabilities are being properly issued. The plan must include a random review of applications by a volunteer panel of medical professionals, a means to protect the anonymity of all parties, and possible sanctions for medical professionals repeatedly improperly issuing parking placards or special license plates. The strategic plan must also include the establishment of a publicly accessible system in which to verify the validity of parking placards and special license plates for persons with disabilities. The workgroup must convene August 1, 2013, and deliver to the Legislature the strategic plan, recommendations, and any draft legislation by January 31, 2014.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): The use of a special license plate or placard issued to another when not transporting the person to whom the special license plate or placard was issued, is moved to the the other use violations that are classified as a parking infraction.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: There is a huge problem with people using special parking placards fraudulently. You can buy these placards on the internet now. In Seattle we have suspicions that people are abusing the use of placards. The City of Seattle has some studies that show large amounts of time blocked out by vehicles with these placards. We have many businesses who complain about the abuse of these placards. When abuse is present, they are taking away spots for people that have the placard legitimately and they are taking away business because people will not come shop when they cannot park. This bill gives us some better enforcement tools.

We support the change that allows rental vehicle companies to have placards. We also favor the workgroup. The workgroup will help us to get to the heart of the problem and try to come up with a solution to deal with it systemically.

Persons Testifying: PRO: Ernest Butler, NW Chapter of Paralyzed Veterans of America; Craig Engelking, City of Seattle; Mike Estey, Seattle Dept. of Transportation.