

Chapter 46.19 RCW
SPECIAL PARKING PRIVILEGES FOR PERSONS WITH DISABILITIES

Sections

- 46.19.010 Criteria for natural persons—Application—Identification cards, placards, and license plates.
- 46.19.020 Eligible organizations—Rules.
- 46.19.030 Display and design of placards, license plates, and year tabs.
- 46.19.040 Renewal—Rules.
- 46.19.050 Restrictions—Prohibitions—Violations—Penalties.
- 46.19.060 Special license plates for persons with disabilities, special license plates with a special year tab for persons with disabilities—Fees—Renewal—Transfer.
- 46.19.070 Special plate or card issued by another jurisdiction.

RCW 46.19.010 Criteria for natural persons—Application—Identification cards, placards, and license plates. (1) A natural person who has a disability that meets one of the following criteria may apply for special parking privileges:

- (a) Cannot walk two hundred feet without stopping to rest;
 - (b) Is severely limited in ability to walk due to arthritic, neurological, or orthopedic condition;
 - (c) Has such a severe disability that the person cannot walk without the use of or assistance from a brace, cane, another person, prosthetic device, wheelchair, or other assistive device;
 - (d) Uses portable oxygen;
 - (e) Is restricted by lung disease to an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second or the arterial oxygen tension is less than sixty mm/hg on room air at rest;
 - (f) Impairment by cardiovascular disease or cardiac condition to the extent that the person's functional limitations are classified as class III or IV under standards accepted by the American heart association;
 - (g) Has a disability resulting from an acute sensitivity to automobile emissions that limits or impairs the ability to walk. The personal physician, advanced registered nurse practitioner, or physician assistant of the applicant shall document that the disability is comparable in severity to the others listed in this subsection;
 - (h) Has limited mobility and has no vision or whose vision with corrective lenses is so limited that the person requires alternative methods or skills to do efficiently those things that are ordinarily done with sight by persons with normal vision;
 - (i) Has an eye condition of a progressive nature that may lead to blindness; or
 - (j) Is restricted by a form of porphyria to the extent that the applicant would significantly benefit from a decrease in exposure to light.
- (2) The disability must be determined by either:
- (a) A licensed physician;
 - (b) An advanced registered nurse practitioner licensed under chapter 18.79 RCW; or
 - (c) A physician assistant licensed under chapter 18.71A RCW.

(3) A health care practitioner listed under subsection (2) of this section who is authorizing a parking permit for purposes of this chapter must provide a signed written authorization: On a prescription pad or paper, as defined in RCW 18.64.500; on office letterhead; or by electronic means, as described by the director in rule.

(4) The application for special parking privileges for persons with disabilities must contain:

(a) The following statement immediately below the physician's, advanced registered nurse practitioner's, or physician assistant's signature: "A parking permit for a person with disabilities may be issued only for a medical necessity that severely affects mobility or involves acute sensitivity to light (RCW 46.19.010). An applicant or health care practitioner who knowingly provides false information on this application is guilty of a gross misdemeanor. The penalty is up to three hundred sixty-four days in jail and a fine of up to \$5,000 or both. In addition, the health care practitioner may be subject to sanctions under chapter 18.130 RCW, the Uniform Disciplinary Act"; and

(b) Other information as required by the department.

(5) A natural person who has a disability described in subsection (1) of this section and is expected to improve within twelve months may be issued a temporary placard for a period not to exceed twelve months. If the disability exists after twelve months, a new temporary placard must be issued upon receipt of a new application with certification from the person's physician as prescribed in subsections (3) and (4) of this section. Special license plates for persons with disabilities may not be issued to a person with a temporary disability.

(6) A natural person who qualifies for special parking privileges under this section must receive an identification card showing the name and date of birth of the person to whom the parking privilege has been issued and the serial number of the placard.

(7) A natural person who qualifies for permanent special parking privileges under this section may receive one of the following:

(a) Up to two parking placards;

(b) One set of special license plates for persons with disabilities if the person with the disability is the registered owner of the vehicle on which the license plates will be displayed;

(c) One parking placard and one set of special license plates for persons with disabilities if the person with the disability is the registered owner of the vehicle on which the license plates will be displayed; or

(d) One special parking year tab for persons with disabilities and one parking placard.

(8) Parking placards and identification cards described in this section must be issued free of charge.

(9) The parking placard and identification card must be immediately returned to the department upon the placard holder's death. [2020 c 80 § 32; 2017 c 112 § 1; 2014 c 124 § 2; 2011 c 96 § 32; 2010 c 161 § 701.]

Effective date—2020 c 80 §§ 12-59: See note following RCW 7.68.030.

Intent—2020 c 80: See note following RCW 18.71A.010.

Finding—Intent—2014 c 124: "(1) The legislature finds that there is a history of abuse of special parking privileges for persons with disabilities that requires changes to maintain public safety and good order.

(2) It is the intent of the legislature to: (a) Decrease the amount of unlawful use of special parking privileges for persons with disabilities; (b) not create additional burdens for those in need of special parking privileges for persons with disabilities; (c) provide local jurisdictions with the authority to improve their administration of on-street parking; (d) encourage the department of licensing to implement the recommendations of the disabled parking work group in regards to placard and application changes; and (e) encourage the department of licensing to consider parking information system upgrades related to special parking privileges for persons with disabilities in its pursuit of technology modernization." [2014 c 124 § 1.]

Effective date—2014 c 124: "This act takes effect July 1, 2015." [2014 c 124 § 10.]

Findings—Intent—2011 c 96: See note following RCW 9A.20.021.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.020 Eligible organizations—Rules. (1) The following organizations may apply for special parking privileges:

- (a) Public transportation authorities;
- (b) Nursing homes licensed under chapter 18.51 RCW;
- (c) Assisted living facilities licensed under chapter 18.20 RCW;
- (d) Senior citizen centers;
- (e) Accessible van rental companies registered with the department;
- (f) Private nonprofit corporations organized under chapter 24.03A RCW;
- (g) Cabulance companies that regularly transport persons with disabilities who have been determined eligible for special parking privileges under this section and who are registered with the department under chapter 46.72 RCW; and
- (h) Companies that dispatch taxicab vehicles under chapter 81.72 RCW or vehicles for hire under chapter 46.72 RCW, for such vehicles that are equipped with wheelchair accessible lifts or ramps for the transport of persons with disabilities and that are regularly dispatched and used in the transport of such persons. However, qualifying vehicles under this subsection (1)(h) may utilize special parking privileges only while in service. For the purposes of this subsection (1)(h), "in service" means while in the process of picking up, transporting, or discharging a passenger.

(2) An organization that qualifies for special parking privileges may receive, upon application, special license plates or parking placards, or both, for persons with disabilities as defined by the department.

(3) An organization that qualifies for special parking privileges under subsection (1) of this section and receives parking placards or

special license plates under subsection (2) of this section is responsible for ensuring that the parking placards and special license plates are not used improperly and is responsible for all fines and penalties for improper use.

(4) The department shall adopt rules to determine organization eligibility. [2021 c 176 § 5227; 2017 c 151 § 1; 2015 c 228 § 37; 2014 c 124 § 3; 2012 c 10 § 42; 2010 c 161 § 702.]

Effective date—2021 c 176: See note following RCW 24.03A.005.

Effective date—2015 c 228: See note following RCW 46.87.010.

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

Application—2012 c 10: See note following RCW 18.20.010.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.030 Display and design of placards, license plates, and year tabs. (1) The department shall design special license plates for persons with disabilities, parking placards, and year tabs displaying the international symbol of access.

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

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

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

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

(6) Persons who have been issued special license plates for persons with disabilities, parking placards, or special license plates with a special year tab for persons with disabilities may park in places reserved for persons with physical disabilities. [2016 c 84 § 5; 2014 c 124 § 4; 2010 c 161 § 704.]

Effective date—2016 c 84 §§ 2 and 5: See note following RCW 46.09.320.

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.040 Renewal—Rules. (1) Parking privileges for persons with disabilities must be renewed at least every five years, as required by the director, by satisfactory proof of the right to continued use of the privileges. Satisfactory proof must include a signed written authorization from a health care practitioner as required in RCW 46.19.010(3).

(2) The department shall match and purge its database of parking permits issued to persons with disabilities with available death record information at least every twelve months.

(3) The department shall adopt rules to administer the parking privileges for persons with disabilities program. [2014 c 124 § 5; 2010 c 161 § 703.]

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.050 Restrictions—Prohibitions—Violations—Penalties.

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

(2) **Unauthorized use.** Any unauthorized use of the parking placard, special license plate, special year tab, or identification card issued under this chapter is a parking infraction with a monetary penalty of two hundred fifty dollars. In addition to any penalty or fine imposed under this subsection, two hundred dollars must be assessed. For the purpose of this subsection, "unauthorized use" includes (a) any use of a parking placard, special license plate, special year tab, or identification card that is expired, inactivated, faked, forged, or counterfeited, (b) any use of a parking placard, special license plate, special year tab, or identification card of another holder if the initial holder is no longer eligible to use or receive it, and (c) any use of a parking placard, special license plate, special year tab, or identification card of another holder even if permitted to do so by the holder.

(3) **Inaccessible access.** It is a parking infraction, with a monetary penalty of two hundred fifty dollars, for a person to stop, stand, or park in, block, or otherwise make inaccessible the access aisle located next to a space reserved for persons with physical disabilities. In addition to any penalty or fine imposed under this subsection, two hundred dollars must be assessed. The clerk of the court shall report all violations related to this subsection to the department.

(4) **Parking without placard/plate.** It is a parking infraction, with a monetary penalty of two hundred fifty dollars, for any person to park a vehicle in a parking place provided on private property

without charge or on public property reserved for persons with physical disabilities without a placard or special license plate issued under this chapter. In addition to any penalty or fine imposed under this subsection, two hundred dollars must be assessed. If a person is charged with a violation, the person will not be determined to have committed an infraction if the person establishes that the person operating the vehicle or being transported at the time of the infraction had a valid placard, special license plate, or special year tab issued under this chapter as required under this chapter. Such person must sign a statement under penalty of perjury that the placard, special license plate, or special year tab produced prior to the court appearance was valid at the time of infraction and issued under this chapter as required under this chapter.

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

(6) **Improper display of placard/plate.** It is a parking infraction, with a monetary penalty of two hundred fifty dollars, to fail to fully display a placard or special license plate issued under this chapter while parked in a public place on private property without charge, while parked on public property reserved for persons with physical disabilities, or while parking free of charge as allowed under RCW 46.61.582. In addition to any penalty or fine imposed under this subsection, two hundred dollars must be assessed, for a total of four hundred fifty dollars. For the purpose of this subsection, "fully display" means hanging or placing the placard or special license plate so that the full face of the placard or license plate is visible, including the serial number and expiration date of the license plate or placard. If a person is charged with a violation of this subsection, that person will not be determined to have committed an infraction if the person produces in court or before the court appearance a valid identification card issued to that person under RCW 46.19.010.

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

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

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

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

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

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

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

(10) **Volunteer appointment.** A law enforcement agency authorized to enforce parking laws may appoint volunteers, with a limited commission, to issue notices of infractions for violations of subsections (2), (3), (4), and (6) of this section or RCW 46.19.030 or 46.61.581. Volunteers must be at least twenty-one years of age. The law enforcement agency appointing volunteers may establish any other qualifications that the agency deems desirable.

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

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

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

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

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

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

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

(13) **Fine suspension.** The court may not suspend more than one-half of any fine imposed under subsection (2), (3), (4), or (6) of this section. [2014 c 124 § 6; 2011 c 171 § 74; 2010 c 161 § 706.]

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.060 Special license plates for persons with disabilities, special license plates with a special year tab for persons with disabilities—Fees—Renewal—Transfer. (1) An additional fee may not be charged for special license plates for persons with disabilities except for any other fees and taxes required to be paid upon registration of a motor vehicle.

(2) A registered owner who qualifies for special parking privileges as described in RCW 46.19.010 may apply to the department for special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities. Special license plates with a special year tab for persons with disabilities are available on any special license plate created under chapter 46.18 RCW, except the collector vehicle, horseless carriage, and ride share special license plates.

(3) A registered owner who chooses to purchase special license plates as described in subsection (2) of this section shall pay the applicable special license plate fee, in addition to any other fees or taxes required for registering a motor vehicle.

(4) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities must be renewed in the same manner and at the time required for the renewal of standard motor vehicle license plates under chapter 46.16A RCW.

(5) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities may be transferred from one motor vehicle to another motor vehicle owned by the person with the parking privilege upon application to the department, county auditor or other agent, or subagent appointed by the director.

(6) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities must be removed from the motor vehicle when the person with disabilities transfers or assigns his or her interest in the motor vehicle. [2012 c 71 § 1; 2011 c 171 § 75; 2010 c 161 § 705.]

Effective date—2012 c 71: "This act takes effect January 1, 2013." [2012 c 71 § 2.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.19.070 Special plate or card issued by another jurisdiction. A special license plate or card issued by another state or country that indicates that an occupant of a vehicle has disabilities entitles the vehicle on or in which it is displayed and being used to transport the person with disabilities to lawfully park in a parking place reserved for persons with physical disabilities pursuant to chapter 70.92 RCW. [2010 c 161 § 707; 2005 c 390 § 4; 1991 c 339 § 22; 1984 c 51 § 1. Formerly RCW 46.16.390.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session
—2010 c 161: See notes following RCW 46.04.013.