
A BILL FOR AN ACT

RELATING TO PARKING FOR DISABLED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the statewide
2 parking program for persons with disabilities, established under
3 part III of chapter 291, Hawaii Revised Statutes, pursuant to
4 P.L. 100-641, and administered by the disability and
5 communication access board, provides individuals with mobility
6 disabilities the ability to travel and park in accessible
7 parking stalls.

8 The legislature further finds that the exemption from
9 payment of parking fees for the first two-and-a-half hours or
10 the maximum time allowed, whichever is longer, was a privilege
11 not intended as a benefit for persons with mobility impairments
12 who qualified for a disability parking permit. The exemption
13 was established as a broad exemption for permittees because the
14 legislature recognized that some permittees who were licensed
15 drivers could not reach or operate a parking meter because of a
16 disability.



1 The legislature finds that the rationale for exempting such
2 individuals is still justified; however, the exemption should
3 not extend to permittees who are able to reach and operate on-
4 street parking meters and pay stations or to permittees who are
5 transported in vehicles driven by another person because the
6 driver is able to reach and operate a parking meter.

7 The legislature finds that parking technology and
8 management practices are changing such that the terminology in
9 the legislation needs to be updated to include references to
10 "devices," "codes," and "pay stations" and to make other related
11 and appropriate language changes.

12 The legislature further finds that it is necessary to
13 distinguish permittees who are licensed drivers and not able to
14 operate on-street parking meters and pay stations because of a
15 disability from other permittees who are able to operate on-
16 street parking meters and pay stations. To address this issue,
17 the disability and communication access board should develop a
18 disability parking device or permit that is different in
19 appearance from those currently issued or a device or decal that
20 is affixed onto current disability parking permits that
21 indicates to law enforcement that a vehicle displaying or



1 containing such a disability parking device, permit, or decal is
2 authorized to park in on-street metered parking spaces without
3 payment of parking fees for the first two-and-a-half hours or
4 the maximum time allowed, whichever is longer.

5 The purpose of this Act is to limit the privilege of
6 parking a vehicle in an on-street metered parking space without
7 payment of parking fees for the first two-and-a-half hours or
8 the maximum time allowed, whichever is longer, only to
9 permittees who are licensed drivers and are not personally able
10 to operate parking meters or pay stations because of a physical
11 disability.

12 SECTION 2. Chapter 291, Hawaii Revised Statutes, is
13 amended by adding a new section to part III to be appropriately
14 designated and to read as follows:

15 "§291- Issuance of distinguishing parking device, code,
16 permit, or decal. The issuing agency shall issue one
17 distinguishing parking device, code, permit, or decal to each
18 applicant who presents a certificate of disability which
19 verifies that the applicant is licensed to drive a motor vehicle
20 and cannot reach or operate parking meters or pay stations
21 because of the applicant's physical disability. The



1 distinguishing parking device, code, permit, or decal shall have
2 the same expiration as the removable windshield placard,
3 temporary removable windshield placard, or special license
4 plates issued to the applicant."

5 SECTION 3. Section 291-51, Hawaii Revised Statutes, is
6 amended by adding a new definition to be appropriately inserted
7 and to read as follows:

8 "Distinguishing parking device, code, permit, or decal"
9 means a two-sided, hanger-style placard, a decal to be affixed
10 to a disability parking permit, or a device to be displayed on a
11 dashboard or contained elsewhere on the vehicle that indicates
12 that the individual to whom the device, code, permit, or decal
13 is issued pursuant to this part is licensed to drive a motor
14 vehicle and cannot reach or operate a parking meter or pay
15 station because of a physical disability."

16 SECTION 4. Section 291-55, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "~~§291-55 [Metered] On-street parking [privileges.]~~
19 privileges where a fee is imposed. Any vehicle displaying or
20 containing [special license plates, a removable windshield
21 placard, or a temporary removable windshield placard] a



1 distinguishing parking device, code, permit, or decal issued
 2 ~~[under this part]~~ pursuant to section 291- shall be permitted
 3 to park, without payment of ~~[metered]~~ parking fees, in any
 4 ~~[metered]~~ on-street parking [space] area for ~~[a maximum of]~~ the
 5 first two-and-a-half hours or the maximum ~~[amount of time the~~
 6 ~~meter allows,]~~ time allowed, whichever is longer. All parking
 7 fees not specifically exempted under this part shall remain in
 8 effect. The vehicle shall prominently display the
 9 distinguishing parking device, code, permit, or decal when
 10 parked in an on-street parking for a fee area."

11 SECTION 5. Section 291-56, Hawaii Revised Statutes, is
 12 amended to read as follows:

13 "§291-56 Rules. The disability and communication access
 14 board shall adopt rules under chapter 91 to carry out the
 15 purposes of this part, including rules for:

- 16 (1) The issuance, renewal, confiscation, revocation, and
- 17 suspension of removable windshield placards, temporary
- 18 removable windshield placards, distinguishing parking
- 19 devices, codes, permits, or decals, and special
- 20 license plates;



- 1 (2) Decertification, reciprocity, and the replacement of
- 2 placards, distinguishing parking devices, codes,
- 3 permits, or decals, and identification cards;
- 4 (3) The design of the placard, identification card,
- 5 distinguishing parking devices, codes, permits, or
- 6 decals, and special license plates;
- 7 (4) The establishment of transaction fees for devices,
- 8 codes, permits, or decals, or placards;
- 9 (5) Signage and marking of on-street parking [spaces,
- 10 areas;
- 11 (6) Reimbursement rates to the counties; [~~and~~]
- 12 (7) [~~Penalties.~~] Penalties; and
- 13 (8) The elimination of on-street parking privileges where
- 14 a fee is imposed and the use of new parking technology
- 15 or program applications make it unnecessary for an
- 16 individual to reach or operate a parking meter or pay
- 17 station."

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect on July 1, 3000.



Report Title:

Persons with a Disability; Parking Meters; Exemption

Description:

Limits the exemption from parking fees to drivers with a disability who are unable to operate a parking meter or pay station because of the driver's disability and who display a distinguishing parking device, code, permit, or decal. Clarifies time limits applicable to the exemption. (SB974 HD2)

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