

JAN 23 2015

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. Section 291-51.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§291-51.6 Issuance of temporary removable windshield
4 placards[-]; photograph; barcode. (a) The issuing agency shall
5 issue one temporary removable windshield placard to each
6 applicant who requests and presents a certificate of disability
7 that verifies the duration of the applicant's disability in
8 monthly increments, which shall not exceed six months, and upon
9 payment of a fee to the issuing agency. Upon request of an
10 applicant who was previously issued one temporary removable
11 windshield placard, a second temporary removable windshield
12 placard shall be issued to that applicant upon verification of
13 the applicant's disability.

14 (b) A temporary removable windshield placard shall bear:

15 (1) A photograph of the person to whom the placard is
16 issued; and

17 (2) A barcode for electronic identification purposes."



SECTION 2. Section 291-52, Hawaii Revised Statutes, is amended to read as follows:

"§291-52 Issuance of removable windshield placard~~[-]~~; photograph; barcode. (a) The issuing agency shall issue one removable windshield placard to each applicant who presents a certificate of disability that verifies that the applicant's disability is expected to last for at least six years. The removable windshield placard shall expire six years after the date of its issuance.

(b) A removable windshield placard shall bear:

(1) A photograph of the person to whom the placard is issued; and

(2) A barcode for electronic identification purposes."

SECTION 3. Section 291-52.5, Hawaii Revised Statutes, is amended to read as follows:

"§291-52.5 Issuance of identification card~~[-]~~; photograph.

The issuing agency shall issue one identification card at the same time it issues a removable windshield placard, temporary removable windshield placard, or special license plates to a person with a disability. The identification card shall bear a



1 photograph of the person to whom the card is issued and a
2 barcode for electronic identification purposes."

3 SECTION 4. Section 291-52.6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§291-52.6 Replacement of a removable windshield placard**
6 **or identification card[-]; photograph; barcode. (a) A**
7 removable windshield placard, temporary removable windshield
8 placard, or identification card shall be replaced upon:

9 (1) Submittal to the issuing agency of a completed
10 application for a removable windshield placard,
11 temporary removable windshield placard, or
12 identification card to the issuing agency; and

13 (2) Payment of a fee.

14 (b) A replacement removable windshield placard shall bear:

15 (1) A photograph of the person to whom the placard is
16 issued; and

17 (2) A barcode for electronic identification purposes."

18 SECTION 5. Section 291-57, Hawaii Revised Statutes, is
19 amended to read as follows:

20 **"§291-57 Parking spaces reserved for persons with**
21 **disabilities; misuse of identification card or placard; false**



1 statements; penalties. (a) Any person who uses a parking space
2 reserved for persons with disabilities who:

3 (1) Fails to properly display a removable windshield
4 placard, a temporary removable windshield placard, or
5 special license plates;

6 (2) Displays an invalid removable windshield placard, an
7 invalid temporary removable windshield placard, or
8 invalid special license plates;

9 (3) Uses a removable windshield placard, a temporary
10 removable windshield placard, or special license plate
11 that was not issued to that person or to any
12 passengers occupying the vehicle in the parking space;
13 or

14 (4) With or without a removable windshield placard, a
15 temporary removable windshield placard, or special
16 license plates:

17 (A) Parks in an access aisle; or

18 (B) Obstructs the ingress or egress to a parking
19 space reserved for a person with a disability;

20 shall be guilty of a traffic infraction under chapter 291D and

21 shall be fined not less than \$250 nor more than \$500 and pay any



1 costs incurred by the court related to assessing the fine;
2 provided that a person with a disability who has been issued a
3 valid placard or special license plate that is currently in
4 effect, and who has failed to display the placard or license
5 plate while parking in a space reserved for persons with
6 disabilities, shall pay a fine of not less than \$25 nor more
7 than \$100 and any costs incurred by the court related to
8 assessing the fine.

9 (b) Any person who:

10 (1) Uses an identification card, temporary removable
11 windshield placard, removable windshield placard, or
12 replacement removable windshield placard, that was
13 previously issued to a person who is now deceased,
14 shall be fined \$1,000; and

15 (2) Makes a false statement or provides misinformation for
16 the purpose of obtaining an identification card,
17 temporary removable windshield placard, removable
18 windshield placard, or replacement removable
19 windshield placard shall be subject to a fine of not
20 more than \$10,000, and imprisonment of not more than
21 eighteen months.



1 ~~[(b)]~~ (c) Any person who uses a parking space reserved for
2 persons with disabilities and refuses or fails to present an
3 identification card issued under this chapter or the rules
4 adopted thereunder to an enforcement officer upon request shall
5 be guilty of a traffic infraction under chapter 291D and shall
6 be fined not less than \$250 nor more than \$500.

7 ~~[(e)]~~ (d) Any citation issued under this chapter may be
8 mailed to the violator pursuant to section 291C-165(b)."

9 SECTION 6. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 7. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 8. This Act shall take effect upon its approval.

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S.B. NO. 315

Report Title:

Parking for Disabled Persons; Placards; Identification Cards;
Penalties

Description:

Requires an identification card, temporary removable windshield placard, removable windshield placard, and replacement removable windshield placard to bear a photograph of the person to whom the placard or identification card is issued, and a barcode for electronic identification purposes. Establishes penalties for using an identification card, temporary removable windshield placard, removable windshield placard, and replacement removable windshield placard previously issued to a person who is now deceased, and for making a false statement or providing misinformation for the purpose of obtaining a placard or identification card.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

