

JAN 23 2015

A BILL FOR AN ACT

RELATING TO BEACH ACCESS.

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

SECTION 1. The legislature finds that Hawaii is known worldwide for its beaches, and it is committed to offering beach access to all visitors. The legislature also finds that beach access for the disabled, including our veterans, is extremely limited, especially for those who are wheelchair-bound.

The purpose of this Act is to require certain beaches within ocean recreation management areas that currently have public restroom facilities to have improved accommodations for persons with disabilities to access the beach.

SECTION 2. Chapter 115, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§115- Beach access as a reasonable accommodation. (a)
Not later than July 1, 2016, the department of land and natural
resources or the county that maintains the beach transit
corridor shall provide reasonable accommodations for access to
the shoreline at any beach that has a public restroom facility



1 within an ocean recreation management area, as designated by the
2 department, for persons with a disability in compliance with 28
3 C.F.R. parts 35 and 36 at reasonable intervals, considering the
4 topography and physical characteristics of the beach transit
5 corridor.

6 (b) The department of land and natural resources shall
7 adopt rules pursuant to chapter 91 to effectuate this section.

8 (c) Nothing in this section shall preclude the award of
9 relief otherwise available under section 489-7.5.

10 (d) As used in this section, "disability" has the same
11 meaning as in section 489-2."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14 INTRODUCED BY:

Charles H. Baker
By Request



S.B. NO. 762

Report Title:

Beach Access; Reasonable Accommodation; Ocean Recreation
Management Area

Description:

Requires reasonable accommodations for disabled persons to
access the beach.

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not legislation or evidence of legislative intent.*

