
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 parking program
2 for persons with disabilities was initiated to ensure that
3 people with a disability are provided parking permits for
4 accessible parking. As of June 30, 2016, the Disability and
5 Communication Access Board reports that there are over 106,294
6 people who possess a valid permit, including over 101,000 long
7 term placards. With such a high number of disabled parking
8 placards in use, abuse of the placards is becoming more
9 prevalent. Successful enforcement requires that the disabled
10 parking program law be strengthened.

11 The purpose of this Act is to reduce the abuse of disabled
12 parking placards by:

13 (1) Requiring disabled parking placards to include a
14 photograph of the person to whom the placard is issued
15 and prominently display the expiration date of the
16 placard; and



1 (2) Establishing a penalty for using a disabled parking
2 placard after the death of the person to whom the
3 placard was issued.

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

6 **"§291-51.6 Issuance of temporary removable windshield**

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

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

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

20 (2) The expiration date of the placard, which shall be
21 prominently displayed."



1 SECTION 3. Section 291-52, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§291-52 Issuance of removable windshield placard[-];**
4 **photograph; expiration.** (a) The issuing agency shall issue one
5 removable windshield placard to each applicant who presents a
6 certificate of disability that verifies that the applicant's
7 disability is expected to last for at least six years. The
8 removable windshield placard shall expire six years after the
9 date of its issuance.

10 (b) A removable windshield placard shall bear:

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

13 (2) The expiration date of the placard, which shall be
14 prominently displayed."

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

17 **"§291-52.6 Replacement of a removable windshield placard**
18 **or identification card[-]; photograph; expiration.** (a) A
19 removable windshield placard, temporary removable windshield
20 placard, or identification card shall be replaced upon:



- 1 (1) Submittal to the issuing agency of a completed
- 2 application for a removable windshield placard,
- 3 temporary removable windshield placard, or
- 4 identification card to the issuing agency; and
- 5 (2) Payment of a fee.
- 6 (b) A replacement removable windshield placard shall bear:
- 7 (1) A photograph of the person to whom the placard is
- 8 issued; and
- 9 (2) The expiration date of the placard, which shall be
- 10 prominently displayed."

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

13 **"§291-57 Parking spaces reserved for persons with**
 14 **disabilities; misuse of placard; penalties.** (a) Any person who
 15 uses a parking space reserved for persons with disabilities and
 16 who:

- 17 (1) Fails to properly display a removable windshield
- 18 placard, a temporary removable windshield placard, or
- 19 special license plates;



1 (2) Displays an invalid removable windshield placard, an
2 invalid temporary removable windshield placard, or
3 invalid special license plates;

4 (3) Uses a removable windshield placard, a temporary
5 removable windshield placard, or special license plate
6 that was not issued to that person or to any
7 passengers occupying the vehicle that is in the
8 parking space; or

9 (4) With or without a removable windshield placard, a
10 temporary removable windshield placard, or special
11 license plates:

12 (A) Parks in an access aisle; or

13 (B) Obstructs the ingress or egress to a parking
14 space reserved for a person with a disability[+],

15 shall be guilty of a traffic infraction under chapter 291D and
16 shall be fined not less than \$250 nor more than \$500 and pay any
17 costs incurred by the court related to assessing the fine;
18 provided that a person with a disability who has been issued a
19 valid placard or special license plate that is currently in
20 effect, and who has failed to display the placard or license
21 plate while parking in a space reserved for persons with



1 disabilities, shall pay a fine of not less than \$25 nor more
2 than \$100 and any costs incurred by the court related to
3 assessing the fine.

4 (b) Any person who uses a temporary removable windshield
5 placard, removable windshield placard, or replacement removable
6 windshield placard, after the death of the person to whom the
7 placard was issued, shall be fined \$ _____.

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

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

16 SECTION 6. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 7. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



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

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INTRODUCED BY:

John M. [Signature]
[Signature]
John A. Kelli
[Signature]
[Signature]
[Signature]
[Signature]

JAN 20 2017



H.B. NO. 537

Report Title:

Parking for Disabled Persons; Placards; Penalties

Description:

Requires parking placards for disabled persons to bear the disabled person's photograph and prominently display its expiration date. Establishes a penalty for using a placard after the death of the person to whom the placard was issued.

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

