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# 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 Public Law 100-641, and administered by the disability and  
5 communication access board, assists individuals who have  
6 mobility disabilities in travelling freely in the community by  
7 ensuring that accessible parking facilities are available to  
8 them.

9           Current law exempts individuals who qualify for a  
10 windshield placard or special license plates from payment of  
11 parking meter fees for the longer of two-and-a-half hours or the  
12 maximum time the meter allows. The legislature finds that this  
13 exemption was established out of a recognition that some  
14 individuals who are licensed drivers cannot reach or operate a  
15 parking meter because of a disability although they are capable  
16 of driving.



1           The legislature finds that the rationale for exempting such  
2 individuals is still justified; however, the exemption should be  
3 limited to drivers with a disability who are not able to operate  
4 a parking meter and are not driven by a non-disabled person.

5           This limitation requires a means to distinguish persons  
6 with a disability who are licensed drivers but are not able to  
7 operate parking meters because of a disability from those who  
8 are or are driven by individuals who are able to do so. This  
9 can be accomplished by issuing either distinguishable disability  
10 parking permits or decals to be affixed to uniform disability  
11 parking permits to indicate whether the permittee is exempt from  
12 parking meter fees.

13           The purpose of this Act is to limit the exemption of  
14 drivers with a disability from payment of parking meter fees  
15 only to individuals who are licensed drivers and who are not  
16 personally able to operate parking meters because of a  
17 disability. This Act additionally clarifies the original intent  
18 behind the exemption by clarifying the time limitations  
19 applicable to the exemption.



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

4 "§291- Issuance of distinguishing parking permit or  
5 decal. The issuing agency shall issue one distinguishing  
6 parking permit or decal to each applicant who is licensed to  
7 drive a motor vehicle and presents a certificate of disability  
8 which verifies that the applicant cannot reach or operate  
9 parking meters because of the applicant's physical disability.  
10 The distinguishing parking permit or decal shall have the same  
11 expiration as the removable windshield placard, temporary  
12 removable windshield placard, or special license plates issued  
13 to the applicant."

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

17 ""Distinguishing parking permit or decal" means a two-  
18 sided, hanger-style placard, a decal to be affixed to a  
19 disability parking permit, or a document to be displayed on a  
20 dashboard that indicates that the person to whom the permit or  
21 decal is issued pursuant to this part is licensed to drive a



1 motor vehicle and cannot reach or operate a parking meter  
2 because of a physical disability."

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

5 "§291-55 Metered parking privileges. Any vehicle  
6 displaying [~~special license plates, a removable windshield~~  
7 ~~placard, or a temporary removable windshield placard]~~ a  
8 distinguishing parking permit or decal issued under this part  
9 shall be permitted to park, without payment of metered parking  
10 fees, in any metered parking space for [~~a maximum of~~] the first  
11 two-and-a-half hours or the maximum amount of time the meter  
12 allows, whichever is longer. All parking fees not specifically  
13 exempted under this part shall remain in effect. The vehicle  
14 shall prominently display the distinguishing parking permit or  
15 decal when parked in a metered parking space."

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

18 "§291-56 Rules. The disability and communication access  
19 board shall adopt rules under chapter 91 to carry out the  
20 purposes of this part, including rules for:



- 1           (1) The issuance, renewal, confiscation, revocation, and  
2                   suspension of removable windshield placards, temporary  
3                   removable windshield placards, distinguishing parking  
4                   permits or decals, and special license plates;
- 5           (2) Decertification, reciprocity, and the replacement of  
6                   placards, distinguishing parking permits or decals,  
7                   and identification cards;
- 8           (3) The design of the placard, identification card,  
9                   distinguishing parking permit or decal, and special  
10                  license plates;
- 11          (4) The establishment of transaction fees for placards;
- 12          (5) Signage and marking of parking spaces;
- 13          (6) Reimbursement rates to the counties; and
- 14          (7) Penalties."

15           SECTION 6. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17           SECTION 7. This Act shall take effect on July 1, 2090.



**Report Title:**

Persons with a Disability; Parking Meters; Exemption

**Description:**

Limits the exemption from parking meter fees to drivers with a disability who are unable to operate a parking meter because of the driver's disability and who display a distinguishing parking permit or decal that so indicates. Clarifies time limits applicable to the exemption. (HB1108 HD1)

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

