
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 meter fees for the first two-and-a-half hours
10 or the maximum time the meter allows, whichever is longer, was a
11 privilege not intended as a benefit for persons with mobility
12 impairments who qualified for a disability parking permit. The
13 exemption was established as a broad exemption for permittees
14 because the legislature recognized that some permittees who were
15 licensed drivers could not reach or operate a parking meter
16 because of a 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
4 parking meters or to permittees who are transported in vehicles
5 driven by another person because the driver is able to reach and
6 operate a parking meter.

7 The legislature further finds that it is necessary to
8 distinguish permittees who are licensed drivers and not able to
9 operate parking meters because of a disability from other
10 permittees who are able to operate parking meters. To address
11 this issue, the disability and communication access board should
12 develop a disability parking permit that is different in
13 appearance from those currently issued or a decal that is
14 affixed onto current disability parking permits that indicates
15 to law enforcement that a vehicle displaying such a disability
16 parking permit or decal is authorized to park in metered parking
17 spaces without payment of parking meter fees for the first two-
18 and-a-half hours or the maximum time the meter allows, whichever
19 is longer.

20 The purpose of this Act is to limit the privilege of
21 parking a vehicle in a metered parking space without payment of



1 parking meter fees for the first two-and-a-half hours or the
2 maximum time the meter allows, whichever is longer, only to
3 permittees who are licensed drivers and are not personally able
4 to operate parking meters because of a physical disability.

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

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

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



1 "Distinguishing parking permit or decal" means a two-
2 sided, hanger-style placard, a decal to be affixed to a
3 disability parking permit, or a document to be displayed on a
4 dashboard that indicates that the individual to whom the permit
5 or decal is issued pursuant to this part is licensed to drive a
6 motor vehicle and cannot reach or operate a parking meter
7 because of a physical disability."

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

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



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

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

(1) The issuance, renewal, confiscation, revocation, and suspension of removable windshield placards, temporary removable windshield placards, distinguishing parking permits or decals, and special license plates;

(2) Decertification, reciprocity, and the replacement of placards, distinguishing parking permits or decals, and identification cards;

(3) The design of the placard, identification card, distinguishing parking permit or decal, and special license plates;

(4) The establishment of transaction fees for placards;

(5) Signage and marking of parking spaces;

(6) Reimbursement rates to the counties; and

(7) Penalties."



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 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 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. Clarifies time limits applicable to the exemption. (SB974 HD1)

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

