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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, as established  
3 under part III of chapter 291, Hawaii Revised Statutes, pursuant  
4 to the federal Uniform System for Parking for Persons with  
5 Disabilities, and administered by the disability and  
6 communication access board, provides individuals with mobility  
7 disabilities the ability to travel and park in accessible  
8 parking stalls.

9           The legislature further finds that the exemption from  
10 payment of parking meter fees for the first two-and-a-half hours  
11 or the maximum time the meter allows, whichever is longer, was a  
12 privilege not intended as a benefit for persons with mobility  
13 impairments who qualified for a disability parking permit. The  
14 exemption was established as a broad exemption for permittees,  
15 because the legislature recognized that some permittees who were  
16 licensed drivers could not reach or operate a parking meter  
17 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 not able to operate  
4 parking meters because of a disability.

5 SECTION 2. Chapter 291, Hawaii Revised Statutes, is  
6 amended by adding to part III a new section 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 that verifies that the applicant is  
12 licensed to drive a motor vehicle and cannot reach or operate  
13 parking meters because of a physical disability. The  
14 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 affixed to a current  
3 disability parking permit, or a document displayed on a  
4 dashboard issued under this part to a person with a disability  
5 who presents a certificate of disability that verifies that the  
6 applicant is licensed to drive a motor vehicle and cannot reach  
7 or operate a parking meter 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 two-and-a-half hours or the maximum amount of  
17 time the meter allows, whichever is longer. All parking fees  
18 not specifically exempted under this part shall remain in  
19 effect. The vehicle shall prominently display the  
20 distinguishing parking permit or decal when parked in a metered  
21 parking space."



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

3 "§291-56 Rules. The disability and communication access  
4 board shall adopt rules under chapter 91 to carry out the  
5 purposes of this part, including rules for:

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

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

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

16 (4) The establishment of transaction fees for placards;

17 (5) Signage and marking of parking spaces;

18 (6) Reimbursement rates to the counties; and

19 (7) Penalties."

20 SECTION 6. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect on July 1, 2018.

2



**Report Title:**

Disabled Persons Parking; Paying Parking Meter Fees

**Description:**

Limits the exemption from payment of parking meter fees to vehicles that display a distinguishing parking permit or decal issued to an applicant who presents a certificate of disability that verifies that the applicant is licensed to drive a motor vehicle and cannot reach or operate a parking meter because of a physical disability. Takes effect 7/1/2018. (SD1)

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

