

JAN 17 2025

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# A BILL FOR AN ACT

RELATING TO PARKING.

**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, was 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, as adopted in title 23 Code of Federal Regulations  
6 section 1235, and administered by the disability and  
7 communication access board, provides individuals with mobility  
8 disabilities the ability to travel and park in accessible  
9 parking spaces via the use of parking placards. However,  
10 improper use and insufficient enforcement impact access for  
11 legitimate program participants.

12           The legislature further finds that adoption of electric  
13 vehicles is a vital step in the State's efforts to combat  
14 climate change, reach the 2045 mandated carbon neutrality, and  
15 create a more sustainable future. The legislature has made  
16 efforts to encourage and facilitate the adoption of electric  
17 vehicles with tax credits and with designated charging parking



1 spaces. These parking spaces not only encourage the adoption of  
2 electric vehicles but are a vital component to personal and  
3 statewide use. The ability to park in an electric vehicle space  
4 allows individuals to make sure they can continue to use their  
5 vehicle with ease and have the security to make it to their next  
6 destination with adequate fuel.

7 The legislature concludes that the use of these spaces by  
8 non-electric vehicles not only takes away an incentive granted  
9 to electric vehicle drivers, but can imperil their  
10 transportation use by not allowing them the opportunity to  
11 recharge.

12 Therefore, the purpose of this Act is to authorize the  
13 counties to adopt ordinances to enforce the accessible parking  
14 space design requirements for parking for disabled persons and  
15 parking for electric vehicles and any respective administrative  
16 rules adopted under that part to ensure unimpeded access for  
17 program participants.

18 SECTION 2. Section 291-58, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "[+]§291-58[+] Requirement to provide parking for persons  
21 with disabilities; [~~penalty-~~] ordinances to enforce authorized.



1 ~~[Beginning July 1, 2002, any public or private entity that~~  
2 ~~provides a parking space reserved for persons with disabilities~~  
3 ~~shall comply with this part and any administrative rules adopted~~  
4 ~~under this part. A private entity that fails to comply with~~  
5 ~~this section shall be fined not less than \$250 nor more than~~  
6 ~~\$500 for each separate offense. Each day of violation shall~~  
7 ~~constitute a separate offense. Any action taken to impose or~~  
8 ~~collect any penalty provided for in this section shall be~~  
9 ~~considered a civil action.]~~ (a) Each county may adopt  
10 ordinances to:

- 11 (1) Enforce the design and construction requirements of  
12 this part, and any administrative rules adopted  
13 pursuant to this part, pertaining to the provision of  
14 parking spaces and access to parking spaces reserved  
15 for persons with disabilities, including but not  
16 limited to the number, location, design, and signage  
17 of these parking spaces; and
- 18 (2) Establish penalties for failure to comply with  
19 ordinances adopted pursuant to this section.



1       (b) An official appointed by a county may enter the  
2 property of a place of public accommodation to enforce any  
3 applicable ordinances adopted pursuant to this section.

4       (c) For the purposes of this section, "place of public  
5 accommodation" shall have the same meaning as defined in section  
6 489-2."

7       SECTION 3. Section 291-73, Hawaii Revised Statutes, is  
8 amended to read as follows:

9       "~~§~~291-73~~§~~ **Ordinances to enforce authorized.** (a)  
10 Each county may adopt ordinances to enforce the requirements of  
11 section 291-71, including the establishment of penalties for  
12 failure to comply with the requirements of that section or  
13 maintain electric vehicle charging systems in working order.

14       (b) Any official appointed by a county may enter the  
15 property of a place of public accommodation to enforce any  
16 applicable ordinances adopted pursuant to this section.

17       (c) For the purpose of this section, "place of public  
18 accommodation" shall have the same meaning as defined in section  
19 489-2."

20       SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:                     *Clem*                    



# S.B. NO. 1008

**Report Title:**

Disabled Persons; Electric Vehicles; Parking; Counties;  
Ordinances

**Description:**

Authorizes the counties to adopt ordinances to enforce the accessible parking space requirements for parking spaces reserved for persons with disabilities and electric vehicles.

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

