
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 to provide individuals with mobility disabilities the ability to
4 travel and park in accessible parking spaces via the use of
5 parking placards. However, improper use and insufficient
6 enforcement impact access for legitimate program participants.

7 The legislature further finds that adoption of electric
8 vehicles is a vital step in the State's efforts to combat
9 climate change, reach the 2045 mandated carbon neutrality, and
10 create a more sustainable future. The legislature has made
11 efforts to encourage and facilitate the adoption of electric
12 vehicles with tax credits and with designated charging parking
13 spaces. These parking spaces not only encourage the adoption of
14 electric vehicles but are a vital component to personal and
15 statewide use. The ability to park in an electric vehicle space
16 allows individuals to make sure they can continue to use their



1 vehicle with ease and have the security to make it to their next
2 destination with adequate fuel.

3 The legislature concludes that the use of these spaces by
4 non-electric vehicles not only takes away an incentive granted
5 to electric vehicle drivers but can imperil their transportation
6 use by not allowing them the opportunity to recharge.

7 Therefore, the purpose of this Act is to:

- 8 (1) Authorize the counties to adopt ordinances to enforce
9 the accessible parking space design requirements for
10 parking for disabled persons and parking for electric
11 vehicles and any respective administrative rules to
12 ensure unimpeded access for program participants; and
- 13 (2) Repeal the requirement for any public or private
14 entity that provides parking spaces reserved for
15 persons with disabilities to comply with laws relating
16 to parking for disabled persons.

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



1 "§291- Requirement to provide parking for persons with
2 disabilities; ordinances to enforce. (a) Each county may adopt
3 ordinances to:

4 (1) Enforce the design and construction requirements of
5 this part, and any administrative rules adopted
6 pursuant to this part, pertaining to the provision of
7 parking spaces and access to parking spaces reserved
8 for persons with disabilities, including but not
9 limited to the number, location, design, and signage
10 of these parking spaces; and

11 (2) Establish penalties for failure to comply with
12 ordinances adopted pursuant to this section.

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

16 (c) For the purposes of this section, "place of public
17 accommodation" has the same meaning as in section 489-2."

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

20 "[+]§291-73[+] **Ordinances to enforce authorized.** (a)

21 Each county may adopt ordinances to enforce the requirements of



1 section 291-71, including the establishment of penalties for
2 failure to comply with the requirements of that section or
3 maintain electric vehicle charging systems in working order.

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

7 (c) For the purpose of this section, "place of public
8 accommodation" has the same meaning as in section 489-2."

9 SECTION 4. Section 291-58, Hawaii Revised Statutes, is
10 repealed.

11 ~~["**§291-58** Requirement to provide parking for persons~~
12 ~~with disabilities; penalty. Beginning July 1, 2002, any public~~
13 ~~or private entity that provides a parking space reserved for~~
14 ~~persons with disabilities shall comply with this part and any~~
15 ~~administrative rules adopted under this part. A private entity~~
16 ~~that fails to comply with this section shall be fined not less~~
17 ~~than \$250 nor more than \$500 for each separate offense. Each~~
18 ~~day of violation shall constitute a separate offense. Any~~
19 ~~action taken to impose or collect any penalty provided for in~~
20 ~~this section shall be considered a civil action."]~~



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 3000.



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. Repeals the requirement for any public or private entity that provides parking spaces reserved for persons with disabilities to comply with laws relating to parking for disabled persons. Effective 7/1/3000. (HD1)

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