



## **DISABILITY AND COMMUNICATION ACCESS BOARD**

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February 11, 2025

### **TESTIMONY TO THE SENATE COMMITTEES ON TRANSPORTATION AND CULTURE AND THE ARTS, AND ON ENERGY AND INTERGOVERNMENTAL AFFAIRS**

#### **Senate Bill 1008 – Relating to Parking**

The Disability and Communication Access Board (DCAB) strongly supports Senate Bill 1008 – Relating to Parking. This bill authorizes the counties to adopt ordinances to enforce the accessible parking space requirements for parking spaces reserved for persons with disabilities and electric vehicles.

DCAB administers the statewide program on parking for persons with disabilities, which includes among other things, the issuance of disability parking permits through memorandums of agreement with the four counties. More than 100,000 Hawaii residents have an active disability parking permit.

DCAB often receives complaints from disability parking permittees about places of public accommodation that fail to comply with the federal Americans with Disabilities Act (ADA) and/or the State requirements for providing parking spaces reserved for persons with disabilities, including their number, location, design, and signage.

Section 291-58, Hawaii Revised Statutes (HRS), provides a penalty of \$250 to \$500 per day for private entities that fail to comply with the ADA and State design, construction and signage requirements. Under §291-58, HRS, a private entity in violation for an entire year could face a penalty of between \$91,250 and \$182,500, which is excessive.

Section 291-58, HRS, has been in effect since July 1, 2002, but it has not been enforced. A likely explanation for non-enforcement is that this section does not designate a government authority to impose or collect a penalty for noncompliance.

Senate Bill 1008 resolves the non-enforcement problem by authorizing, but not mandating, the counties to adopt ordinances to enforce the ADA and State requirements for the provision of reserved parking spaces for persons with disabilities, including their number, location, design, and signage, and to establish penalties for violations. Senate Bill 1008 provides that an official appointed by a county may enter places of public accommodation to enforce the adopted ordinances. The counties are uniquely suited to enforce those requirements because they already inspect places of public accommodation for compliance with the building code and various other physical requirements.

Therefore, enforcing the ordinances adopted by the counties pursuant to this measure would be well within their purview. The enforcement mechanism of Senate Bill 1008 is modeled after that of §291-73, HRS, which authorizes the counties to adopt ordinances to

enforce State law, §291-71, HRS, regarding the provision of parking spaces serving electric vehicle charging systems at places of public accommodation.

Thank you for considering our position.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Shaw', with a long horizontal line extending to the right.

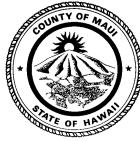
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**COUNTY COUNCIL**  
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February 10, 2025

TO: The Honorable Chris Lee, Chair,  
Senate Committee on Transportation and Culture and the Arts  
The Honorable Glenn Wakai, Chair  
Senate Committee on Energy and Intergovernmental Affairs

FROM: Alice L. Lee  
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee", is written over the printed name and title.

SUBJECT: **HEARING OF FEBRUARY 11, 2025; TESTIMONY IN SUPPORT OF SB1008, RELATING TO PARKING**

I **support** this measure to authorize counties to enact ordinances to enforce accessible-parking requirements for persons with disabilities and electric vehicles.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **support** this measure for the following reasons:

1. Many people who rely on accessible- parking spaces find them occupied by unauthorized vehicles. By granting counties the authority to enforce compliance, we can protect the mobility rights of persons with disabilities and ensure these spaces remain available for legitimate users.
2. As Hawai'i moves toward a more sustainable future, designated charging spaces for electric vehicles are essential infrastructure. Unauthorized use of these spaces by non-electric vehicles undermines the State's carbon-neutrality goals and discourages EV adoption.
3. Local governments are better positioned to monitor compliance and address violations of parking requirements. Allowing counties to enact and enforce ordinances tailored to their communities will enhance these requirements' effectiveness.

Thank you for your consideration.

**SB-1008**

Submitted on: 2/5/2025 5:11:19 PM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharoldine Sisneros	Individual	Support	Written Testimony Only

Comments:

I support bill sb1008 as a handicap permittee. It is very difficult to find parking spaces in many of common public spaces, i.e., store parking lots. Malls, medical appointments...

I

**SB-1008**

Submitted on: 2/6/2025 1:49:27 AM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

**SB-1008**

Submitted on: 2/6/2025 9:41:56 PM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jackie Hester	Individual	Support	Written Testimony Only

Comments:

Aloha - I'm writing today to express my opinion on accessible parking spaces accessible parking spaces.

I'm a disabled veteran who often encounters parking lots that lack the minimum number of marked disabled parking spaces or encounter spaces that are missing a required feature, such as signage or an attached access aisle. I'm not alone, I've often helped other disabled drivers who need accessible space to maneuver wheelchairs and other equipment or carts. We desperately need legislation and proper enforcement measures to ensure liberty for all. I encourage your support of this bill. Mahalo

**SB-1008**

Submitted on: 2/8/2025 12:26:24 PM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles J Stensrud	Individual	Support	Written Testimony Only

## Comments:

As a Hilo, Hawaii, resident with moderate to sporadically severe mobility issues, I am often faced with an insufficient number of handicapped spaces when I venture out for groceries or other necessities. On good days I can park somewhat farther out, but on others I circle parking lots for as much as 10 minutes waiting for any space within a distance I can handle. Ironically, at some locations, when all of the handicapped spaces are filled, there are open spaces nearer the entrance (Safeway, for one, KTA Puainako for another), Hilo, as much of East Hawaii County, seems to have a high proportion of aging citizenry, many of who like me have physical disabilities that can make such outings difficult, or in some cases impossible if we are unable to park within convenient distance from business entrances. I am interested in seeing any legislation that expands or enforces existing requirements for providing spaces, and that provides for stronger enforcement of usage violations. Mahalo for your consideration.

**SB-1008**

Submitted on: 2/7/2025 8:04:56 PM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Banner Fanene	Individual	Comments	Written Testimony Only

Comments:

ALOHA

I am a HandiCap Parking permittee and have been for many years due to chronic disability.

I am unable to support the portion of this bill that supports Electric Vehicle parking for any reason whatsoever. I oppose Electric Vehicles having any preference over Petroleum fueled vehicles.

I do support the part of this legislation that benefits HandiCap parking permittees.

MAHALO



**SB-1008**

Submitted on: 2/5/2025 10:03:46 PM

Testimony for TCA on 2/11/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bill Lane	Individual	Comments	Written Testimony Only

## Comments:

I have 2 knee replacements, 2 hip replacements, spinal stenosis and scoliosis. I am 76 years old. I regularly find the handicapped parking stalls full at many locations when I have to drive or with my care giver (using my blue disability display) I would like to request that there be more available since the use of other stalls with my disability display has now been taken away. Thank you for the consideration.