

DISABILITY AND COMMUNICATION ACCESS BOARD

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January 30, 2025

TESTIMONY TO THE SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

Senate Bill 1009 – Relating to Parking

The Disability and Communication Access Board (DCAB) supports the intent of Senate Bill 1009 – Relating to Parking. This bill establishes a state accessible parking space enforcement fine for parking in parking spaces reserved for persons with disabilities or electric vehicles. It increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles. And it requires the fine to be deposited into the state general fund.

Abuse and misuse of reserved accessible parking spaces is a frequent complaint by disability parking permittees, and an enhanced penalty will help deter this abuse. As currently drafted, the bill only imposes the enhanced penalty when a person using a disability parking permit is unable to produce the identification card issued with the placard and therefore violates §291-57 (b), Hawaii Revised Statutes. DCAB recommends amending Senate Bill 1009 to impose the fine on other types of accessible parking space violations, such as failure to display a valid parking permit and parking in an access aisle. Senate Bill 1009 also imposes the fine on non-electric vehicles parked in spaces reserved for electric vehicles in violation of §291-72, Hawaii Revised Statutes. DCAB therefore recommends amending the bill to designate the fine as the “state reserved parking space fine.”

SECTION 2. Section 291-57, Hawaii Revised Statutes, is amended [~~by amending subsection (b)~~] to read as follows:

"(a) Any person who uses a parking space reserved for persons with disabilities who:

- (1) Fails to properly display a disability parking permit;
- (2) Displays an invalid disability parking permit;
- (3) Uses a disability parking permit that was not issued to that person or to any passengers occupying the vehicle in the parking space; or
- (4) With or without a disability parking permit:
 - (A) Parks in an access aisle; or
 - (B) Obstructs the ingress or egress to a parking space reserved for a person with a disability;

shall be guilty of a traffic infraction under chapter 291D [~~and shall~~], be fined [~~no~~] not less than \$250 nor more than \$500, and pay any costs incurred by the court related to assessing the fine; provided that a person with a disability who has been issued a valid disability parking permit that is currently in effect, and who has failed to display the disability parking permit while parking in a space reserved for persons with disabilities, shall pay a fine of [no] not less than \$25 nor more than \$100, and any costs incurred by

the court related to assessing the fine. In addition to any other applicable penalties and fines, any person who violates this subsection shall be assessed a state reserved parking space enforcement fine of \$100 provided that a person with a disability who has been issued a valid disability parking permit that is currently in effect, and who has failed to display the disability parking permit while parking in a space reserved for persons with disabilities, shall not be assessed the fine. The fine shall be enforced and collected by the district courts and be deposited into the state general fund.

(b) Any person who uses a parking space reserved for persons with disabilities and refuses or fails to present an identification card issued under this chapter or the rules adopted thereunder to an enforcement officer upon request shall be guilty of a traffic infraction under chapter 291D ~~[and shall]~~, be fined ~~[no]~~ not less than \$250 nor more than \$500~~[-]~~, and pay any costs incurred by the court related to assessing the fine. In addition to any other applicable penalties and fines, any person who violates this subsection shall be assessed a state [accessible] reserved parking space enforcement fine of \$100. The fine shall be enforced and collected by the district courts and be deposited into the state general fund."

SECTION 3. Section 291-72, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

(a) Any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles or parks any vehicle in a parking space equipped with an electric vehicle charging system while not actively charging shall be guilty of a traffic infraction under chapter 291D ~~[and shall]~~, be fined not less than ~~[\$50]~~ \$250 nor more than ~~[\$100,-]~~ \$500, and ~~[shall]~~ pay any costs incurred by the court related to assessing the fine. In addition to any other applicable penalties and fines, any person who violates this subsection shall be assessed a state [accessible] reserved parking space enforcement fine of \$100. The fine shall be enforced and collected by the district courts and be deposited into the state general fund."

Thank you for considering our testimony.

Respectfully submitted,



KIRBY L. SHAW
Executive Director

SB-1009

Submitted on: 1/29/2025 1:53:11 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Arakaki	Testifying for DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES	Comments	Remotely Via Zoom

Comments:

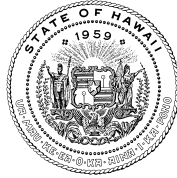
TESTIFIER - ON BEHALF OF DAGS COMPTROLLER KEITH REGAN

MICHAEL ARAKAKI

DAGS AUTOMOTIVE DIVISION ADMINISTRATOR

(SUBJECT MATTER EXPERT)

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

MEOH-LENG SILLIMAN
DEPUTY COMPTROLLER
KA HOPE LUNA HO'OMALU HANA LAULĀ

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWÉ LAULĀ
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
KEITH A. REGAN, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE COMMITTEE ON

TRANSPORTATION AND CULTURE AND THE ARTS

JANUARY 30, 2025, 3:00P.M.
CONFERENCE ROOM 224 AND VIA VIDEOCONFERENCE, STATE CAPITOL

S.B. 1009

RELATING TO PARKING

Chair Lee, Vice Chair Inouye, and Members of the Committee, thank you for the opportunity to submit testimony on S.B. 1009.

The Department of Accounting and General Services (DAGS) offers comments on this measure which establishes a state accessible parking space enforcement fine for parking in parking spaces reserved for persons with disabilities or electric vehicles, increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles, and requires the fine to be deposited into the state general fund.

DAGS Automotive Management Division (AMD) which employs 29 staff that operates, maintains, and performs enforcement at all DAGS parking facilities is self funded through the state parking control revolving fund. For all fines collected by DAGS

enforcement staff at DAGS managed facilities, we request that these fees continue to be deposited into the state parking control revolving fund. This fund will continue to support our current operations and maintain DAGS AMD as a self-funded agency. The proposed statute conflicts with DAGS statute, Hawaii Revised Statutes section 107-11, which directs fines collected to the state parking revolving fund.

Thank you for the opportunity to provide testimony on this measure.

SB-1009

Submitted on: 1/29/2025 2:47:32 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brenda Jackson	Individual	Support	Written Testimony Only

Comments:

My name is Brenda and I am a medically retired 58 year-old certified nurse- midwife. I have progressive multiple sclerosis and am now a wheelchair user. I have tried to stay as healthy and active as possible despite my progressive neurologic disease.

Two of my favorite things are going to Kailua Beach near the boat ramp to look out and see the ocean and people having fun :-), and going to Costco shopping! Unfortunately, the accessible stalls are nearly always occupied, and often by people who do not have disability placards.

It is so disappointing to have a disease that severely limits my ability to be out enjoying life, and it is made worse when others behave in such a manner that further restricts my activities. I humbly request that legislation be passed to increase the fines for inappropriate use of accessible parking and to increase the number of wheelchair accessible parking.

Thank you for working to make those of us with disabilities able to lead full lives and enjoy this island.

Sincerely,

Brenda Jackson