
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 to
3 issue disability parking permits to applicants who are certified
4 by a physician or advance practice registered nurse. A vehicle
5 displaying a disability parking permit is authorized to park in
6 spaces designed and reserved for persons with mobility
7 disabilities. However, improper use and insufficient
8 enforcement impact access for legitimate program participants.

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



1 allows individuals to make sure they can continue to use their
2 vehicle with ease and have the security to make it to their next
3 destination with adequate fuel. 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
6 transportation use by not allowing them the opportunity to
7 recharge.

8 Therefore, the purpose of this Act is to:

- 9 (1) Establish a state reserved parking space enforcement
10 fine for parking in parking spaces reserved for
11 persons with disabilities or electric vehicles;
- 12 (2) Increase fines for any person who parks a non-electric
13 vehicle in a space designated and marked as reserved
14 for electric vehicles; and
- 15 (3) Require the fines be deposited into the safe routes to
16 school program special fund.

17 SECTION 2. Section 291-57, Hawaii Revised Statutes, is
18 amended by amending subsections (a) and (b) to read as follows:

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

- 21 (1) Fails to properly display a disability parking permit;



1 (2) Displays an invalid disability parking permit;

2 (3) Uses a disability parking permit that was not issued

3 to that person or to any passengers occupying the

4 vehicle in the parking space; or

5 (4) With or without a disability parking permit:

6 (A) Parks in an access aisle; or

7 (B) Obstructs the ingress or egress to a parking

8 space reserved for a person with a disability[+],

9 shall be guilty of a traffic infraction under chapter 291D ~~[and~~

10 ~~shall]~~, be fined no less than \$250 nor more than \$500, and pay

11 any costs incurred by the court related to assessing the fine;

12 provided that a person with a disability who has been issued a

13 valid disability parking permit that is currently in effect, and

14 who has failed to display the disability parking permit while

15 parking in a space reserved for persons with disabilities, shall

16 pay a fine of no less than \$25 nor more than \$100 and any costs

17 incurred by the court related to assessing the fine. In

18 addition to any other applicable penalties and fines, any person

19 who violates this subsection shall be assessed an additional

20 state reserved parking space enforcement fine of \$100; provided

21 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 state reserved parking space enforcement
fine. The state reserved parking space enforcement fine shall
be enforced and collected by the district courts and be
deposited into the safe routes to school program special fund
established pursuant to section 291C-4.

(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 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 an
additional state reserved parking space enforcement fine of
\$100. The state reserved parking space enforcement fine shall
be enforced and collected by the district courts and be



1 deposited into the safe routes to school program special fund
2 established pursuant to section 291C-4."

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

5 "(a) Any person who parks a non-electric vehicle in a
6 space designated and marked as reserved for electric vehicles or
7 parks any vehicle in a parking space equipped with an electric
8 vehicle charging system while not actively charging shall ~~[be]~~:

9 (1) Be guilty of a traffic infraction under chapter 291D
10 ~~[and shall be]~~;

11 (2) Be fined ~~[not]~~ no less than ~~[\$50]~~ \$250 nor more than
12 ~~[\$100,]~~ \$500; and ~~[shall pay]~~

13 (3) Pay any costs incurred by the court related to
14 assessing the fine.

15 In addition to any other applicable penalties and fines, any
16 person who violates this subsection shall be assessed an
17 additional state reserved parking space enforcement fine of
18 \$100. The state reserved parking space enforcement fine shall
19 be enforced and collected by the district courts and be
20 deposited into the safe routes to school program special fund
21 established pursuant to section 291C-4."



SECTION 4. Section 291C-4, Hawaii Revised Statutes, is amended to read as follows:

"§291C-4 Safe routes to school program special fund; establishment. There is established in the state treasury the safe routes to school program special fund, into which shall be deposited:

(1) Assessments collected for speeding in a school zone, pursuant to section 291C-104; ~~and~~

(2) Safe routes to school program surcharges collected in accordance with sections 291-16 and 291C-5~~[-]~~; and

(3) Moneys collected from state reserved parking space enforcement fines pursuant to sections 291-57 and 291-72."

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

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



Report Title:

State Reserved Parking Space Enforcement Fine; Parking; Persons with Disabilities; Electric Vehicles

Description:

Establishes a state reserved parking space enforcement fine for parking in parking spaces reserved for persons with disabilities or electric vehicles to be deposited into the Safe Routes to School Program Special Fund. Increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles. Effective 7/1/3000.
(HD1)

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

