
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. The disability and communication access board
7 administers the program, which together with the counties,
8 issues disability parking permits to applicants who are
9 certified by a physician or advance practice registered nurse.
10 A vehicle displaying a disability parking permit is authorized
11 to park in spaces designed and reserved for persons with
12 mobility disabilities. However, improper use and insufficient
13 enforcement impact access for legitimate program participants.
14 The legislature further finds that adoption of electric
15 vehicles is a vital step in the State's efforts to combat
16 climate change, reach the 2045 mandated carbon neutrality, and
17 create a more sustainable future. The legislature has made



1 efforts to encourage and facilitate the adoption of electric
2 vehicles, with tax credits, and with designated charging parking
3 spaces. These parking spaces not only encourage the adoption of
4 electric vehicles but are a vital component to personal and
5 statewide use. The ability to park in an electric vehicle space
6 allows individuals to make sure they can continue to use their
7 vehicle with ease and have the security to make it to their next
8 destination with adequate fuel. The use of these spaces by
9 non-electric vehicles not only takes away an incentive granted
10 to electric vehicle drivers but can imperil their transportation
11 use by not allowing them the opportunity to recharge.

12 Therefore, the purpose of this Act is to:

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



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

"(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 reserved parking space enforcement fine of \$100. The fine shall be enforced and collected by the district courts and be deposited into the safe routes to school program special 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~~],



1 be fined not less than [~~\$50~~] \$250 nor more than [~~\$100,~~] \$500,
2 and [~~shall~~] pay any costs incurred by the court related to
3 assessing the fine. In addition to any other applicable
4 penalties and fines, any person who violates this subsection
5 shall be assessed a state reserved parking space enforcement
6 fine of \$100. The fine shall be enforced and collected by the
7 district courts and be deposited into the safe routes to school
8 program special fund."

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

11 **"§291C-4 Safe routes to school program special fund;**
12 **establishment.** There is established in the state treasury the
13 safe routes to school program special fund, into which shall be
14 deposited:

- 15 (1) Assessments collected for speeding in a school zone,
16 pursuant to section 291C-104; [~~and~~]
17 (2) Safe routes to school program surcharges collected in
18 accordance with sections 291-16 and 291C-5[~~-~~]; and
19 (3) Moneys collected from state reserved parking space
20 enforcement fines pursuant to sections 291-57 and
21 291-72."



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 upon its approval.



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. Increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles. Requires the fine to be deposited into the Safe Routes to School Special Fund. (SD1)

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