
A BILL FOR AN ACT

RELATING TO PARKING FOR DISABLED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that parking in the State
2 is extremely limited for disabled persons and kupuna. While
3 tourism is a primary economic driver in the State, it also
4 reduces the ability for disabled persons and kupuna to find
5 parking. According to the disability and communication access
6 board, approximately eight per cent of Hawaii's population has a
7 mobility disability significant enough to qualify them for a
8 disability parking permit. Being unable to find appropriate
9 parking limits the ability of disabled persons and kupuna to
10 engage in public interaction, making them less integrated in the
11 community. In addition, disabled persons who are forced to park
12 further away from a business or public entity are not able to
13 easily access facilities and may have an increased risk of
14 falling, which is the leading cause of death from injury among
15 adults aged sixty-five and older.

16 The legislature further finds as the State faces issues
17 with high traffic and tourism, this limits the available of



1 parking for all. As such, the State must uphold parking access
2 for disabled persons and kupuna.

3 Accordingly, the purpose of this Act is to increase the
4 number of required accessible and van accessible parking spaces
5 in parking facilities with more than twenty-five parking spaces
6 that are covered by title II or III of the Americans with
7 Disabilities Act; however this Act is crafted so as not to
8 burden small businesses who have less than seventy-five total
9 parking spaces, as they may lack the ability to expand
10 accessible spaces in their lots.

11 SECTION 2. Section 291-58, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[~~§~~291-58] **Requirement to provide parking for persons**
14 **with disabilities; penalty.** (a) Beginning July 1, 2002, any
15 [~~public or private~~] entity covered by the Americans with
16 Disabilities Act that provides a parking space reserved for
17 persons with disabilities shall comply with this part and any
18 administrative rules adopted [~~under~~] pursuant to this part.

19 (b) Beginning July 1, 2027, any public or private entity
20 subject to title II or III of the Americans with Disabilities



1 Act that operates a parking facility shall comply with the
2 following:

3 (1) For a parking facility with one to twenty-five parking
4 spaces, the minimum number of total accessible parking
5 spaces (standard and van accessible) shall be one;
6 provided that at least one accessible parking space
7 shall be van-accessible;

8 (2) For a parking facility with twenty-six to fifty
9 parking spaces, the minimum number of total accessible
10 parking spaces (standard and van accessible) shall be
11 three; provided that at least one accessible parking
12 space shall be van-accessible;

13 (3) For a parking facility with fifty-one to seventy-five
14 parking spaces, the minimum number of total accessible
15 parking spaces (standard and van accessible) shall be
16 three; provided that at least one accessible parking
17 space shall be van-accessible;

18 (4) For a parking facility with seventy-six to one hundred
19 parking spaces, the minimum number of total accessible
20 parking spaces (standard and van accessible) shall be



1 four; provided that at least two accessible parking
2 spaces shall be van-accessible;

3 (5) For a parking facility with one hundred one to one
4 hundred fifty parking spaces, the minimum number of
5 total accessible parking spaces (standard and van
6 accessible) shall be six; provided that at least two
7 accessible parking spaces shall be van-accessible;

8 (6) For a parking facility with one hundred fifty-one to
9 two hundred parking spaces, the minimum number of
10 total accessible parking spaces (standard and van
11 accessible) shall be eight; provided that at least
12 three accessible parking spaces shall be van-
13 accessible;

14 (7) For a parking facility with two hundred one to three
15 hundred parking spaces, the minimum number of total
16 accessible parking spaces (standard and van
17 accessible) shall be twelve; provided that at least
18 four accessible parking spaces shall be van-
19 accessible;

20 (8) For a parking facility with three hundred one to four
21 hundred parking spaces, the minimum number of total



1 accessible parking spaces (standard and van
2 accessible) shall be sixteen; provided that at least
3 six accessible parking spaces shall be van-accessible;

4 (9) For a parking facility with four hundred one to five
5 hundred parking spaces, the minimum number of total
6 accessible parking spaces (standard and van
7 accessible) shall be twenty; provided that at least
8 seven accessible parking spaces shall be van-
9 accessible;

10 (10) For a parking facility with five hundred one to one
11 thousand parking spaces, the minimum number of total
12 accessible parking spaces (standard and van
13 accessible) shall be four per cent of the total number
14 of parking spaces in the facility; provided that at
15 least one of every three accessible parking spaces
16 shall be van-accessible; and

17 (11) For a parking facility with more than one thousand
18 parking spaces, the minimum number of total accessible
19 parking spaces (standard and van accessible) shall be
20 forty, plus two for each one hundred, or fraction
21 thereof, over one thousand; provided that at least one



1 of every three accessible parking spaces shall be van-
2 accessible;
3 provided further that if accessible parking spaces are provided
4 in excess of the minimum number required under this subsection,
5 at least one of every three accessible parking spaces shall be
6 van-accessible.

7 (c) A private entity that fails to comply with this
8 section shall be fined [~~not~~] no less than \$250 nor more than
9 \$500 for each separate offense. Each day of violation shall
10 constitute a separate offense. Any action taken to impose or
11 collect any penalty provided for in this section shall be
12 considered a civil action.

13 (d) Subsection (b) shall not apply to a public entity,
14 including an institution of higher education, that manages a
15 large inventory of parking spaces and is otherwise in compliance
16 with the design standards and requirements of the Americans with
17 Disabilities Act."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Parking; Persons with Disabilities

Description:

Beginning 7/1/27, increases the number of required accessible and van-accessible parking spaces in parking facilities with more than twenty-five parking spaces that are covered by title II or III of the Americans with Disabilities Act, with an exception for qualifying public entities managing large parking inventories that are otherwise compliant with Americans with Disabilities Act standards. Effective 7/1/3000. (HD2)

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