

ACT 185

H.B. NO. 2166-86

A Bill for an Act Relating to Blind or Visually Handicapped Concessionaires.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 298, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§298- Blind or visually handicapped concessionaires. (a) Each secondary public school, upon the approval of the principal and the district superintendent, may allow on the premises vending machines operated as a concession; provided that the concession shall be operated only by a blind or visually handicapped person, as defined in sections 235-1, 347-1 and 347-2. The location and operation of the vending machines and the items dispensed shall be approved by the department.

(b) The concession shall be awarded and operated under chapter 102; provided that the selection of a concessionaire shall be in accordance with departmental guidelines and shall take into consideration the price of the items sold and any revenue-sharing arrangement made with school-related program organizations.”

SECTION 2. Section 102-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The bidding requirements of subsection (a) shall not apply to concessions or space on public property set aside for the following purposes:

- (1) For operation of ground transportation services at airports;
- (2) For lei vendors;
- (3) For airline and aircraft operations;
- (4) For coin-operated vending machines, except coin-operated insurance vending machines; and vending machines located at public schools operated by blind or visually handicapped persons in accordance with section 298- ;
- (5) For [operations] operation of concessions set aside without any charge;
- (6) For [operations] operation of concessions [for the use of] by handicapped persons, or blind persons; except concessions operated in the public schools by blind or visually handicapped persons in accordance with section 298- ;
- (7) For operation of concessions on permits revocable on notice of thirty days or less; provided, that no such permits shall be issued unless the premises covered therein shall no longer be used for the existing purposes and that the permit is issued as a temporary use of the premises until the governmental agency proceeds to apply the premises for the new use thereof; and provided, further, that no permits shall be issued for more than one year.”

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SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved May 17, 1986.)

Note

1. Edited pursuant to HRS §23G-16.5.