

ACT 141

S.B. NO. 2105

A Bill for an Act Relating to Parking for Disabled Persons.

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

SECTION 1. Section 291-51, Hawaii Revised Statutes, is amended by amending the definitions of “issuing agency” and “removable windshield placard” to read:

““Issuing agency” means ~~[an agency authorized by a county to issue removable windshield placards, temporary removable windshield placards, special license plates, and identification cards pursuant to this part.]~~ the disability and communication access board.

“Removable windshield placard” means a two-sided, hanger-style placard issued under this part to a person with a disability who presents a certificate of disability that verifies that the applicant’s disability is expected to last for at least ~~[four]~~ six years.”

SECTION 2. Section 291-51.3, Hawaii Revised Statutes, is amended to read as follows:

“§291-51.3 Reimbursement to counties~~[-]; agreement with counties to provide permits.~~ The State shall reimburse the counties for the unit cost of ~~[issuing] providing~~ a removable windshield placard or a temporary removable windshield placard on behalf of the State. ~~[Beginning July 1, 2006, the rate of the per unit cost reimbursement shall be \$12. All fees collected by the counties for issuing removable and temporary removable windshield placards shall be deposited into the state general fund.]~~ The reimbursement rate paid to the counties for providing removable windshield placards, temporary removable windshield placards, special license plates, and identification cards shall be established pursuant to section 291-56; provided that a county may retain any fees charged for a transaction.”

SECTION 3. Section 291-51.5, Hawaii Revised Statutes, is amended to read as follows:

“§291-51.5 Special license plates. Upon application by a person with a disability, ~~[each county]~~ the issuing agency shall issue special license plates for the vehicle registered in the applicant’s name if the vehicle is primarily used to

transport that person. The fee for the issuance of special license plates shall not exceed the fee charged for similar license plates for the same class vehicle.”

SECTION 4. Section 291-51.6, Hawaii Revised Statutes, is amended to read as follows:

“**§291-51.6 Issuance of temporary removable windshield placards.** ~~[Each county]~~ The issuing agency shall issue one temporary removable windshield placard ~~[and a second temporary removable windshield placard]~~ to each applicant who requests and presents a certificate of disability that verifies the duration of the applicant’s disability in monthly increments, which shall not exceed six months, and upon payment of a fee to the issuing agency. ~~[All fees collected by the counties for issuing temporary removable windshield placards shall be deposited into the state general fund. The temporary removable windshield placard shall be designed, fabricated, and sold to the counties at a rate negotiated by the disability and communication access board.]~~ Upon request of an applicant who was previously issued one temporary removable windshield placard, a second temporary removable windshield placard shall be issued to that applicant upon verification of the applicant’s disability.”

SECTION 5. Section 291-52, Hawaii Revised Statutes, is amended to read as follows:

“**§291-52 Issuance of removable windshield placard.** ~~[Each county]~~ The issuing agency shall issue one removable windshield placard ~~[and a second removable windshield placard]~~ to each applicant who ~~[so requests and]~~ presents a certificate of disability that verifies that the applicant’s disability is expected to last for at least ~~[four]~~ six years. The removable windshield placard shall expire ~~[four]~~ six years after the date of its issuance. ~~[The removable windshield placard shall be designed, fabricated, and sold to the counties at a rate negotiated by the disability and communication access board.]~~”

SECTION 6. Section 291-52.5, Hawaii Revised Statutes, is amended to read as follows:

“**§291-52.5 Issuance of identification card.** ~~[Each]~~ The issuing agency shall issue one identification card at the same time it issues a removable windshield placard, temporary removable windshield placard, or special license plates to a person with a disability.”

SECTION 7. Section 291-52.6, Hawaii Revised Statutes, is amended to read as follows:

“**§291-52.6 Replacement of a ~~[lost, stolen, or mutilated]~~ removable windshield placard or identification card.** A removable windshield placard, temporary removable windshield placard, or identification card ~~[that is reported lost, stolen, or mutilated]~~ shall be replaced upon:

- (1) Submittal to the issuing agency of:
 - (A) ~~A written statement by a person with a disability that the placard or identification card was either lost, stolen, or mutilated; and~~
 - (B) A] a completed application for a removable windshield placard, temporary removable windshield placard, or identification card to the issuing agency; and

(2) Payment of a fee ~~[to the issuing agency. All fees collected by the counties for replacement of a lost, stolen, or mutilated removable windshield placard shall be deposited into the state general fund].~~”

SECTION 8. Section 291-56, Hawaii Revised Statutes, is amended to read as follows:

“§291-56 **Rules.** The disability and communication access board shall adopt rules under chapter 91 to carry out the purposes of this part, including rules for:

- (1) The issuance, renewal, confiscation, revocation, and suspension of removable windshield placards, temporary removable windshield placards, and special license plates;
- (2) Decertification, reciprocity, and the replacement of placards and identification cards;
- (3) The design of the placard, identification card, and special license plates;
- (4) The establishment of transaction fees for placards;
- (5) Signage and marking of parking spaces; ~~[and]~~
- ~~(6)~~ Reimbursement rates to the counties; and
- ~~[(6)]~~ (7) Penalties.”

SECTION 9. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 10. This Act shall take effect upon approval.

(Approved May 25, 2010.)