

ACT 190

S.B. NO. 2256

A Bill for an Act Relating to the Department of Education.

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

SECTION 1. The legislature finds that authorizing the department of education to assess fees for parking in areas and facilities under its jurisdiction would provide the department with another source of revenue to address the budget reductions and restrictions affecting public education.

The purpose of this Act is to authorize the department of education to assess fees for parking on roadways and parking areas under its jurisdiction.

SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

- “§302A- Parking; control by department.** (a) The department may adopt rules in accordance with chapter 91 to govern the traffic and parking conditions on roadways and other areas under the jurisdiction of the department.
- (b) The department, in accordance with chapter 91, may:
- (1) Assess fees for parking on roadways and in parking areas under the jurisdiction of the department; and
 - (2) Adopt rules relating to the assessment and collection of fees for parking specified in this section.
- (c) Fees collected under this section shall be deposited into the same fund into which fees and charges assessed and collected by the department for the use of school facilities under section 302A-1148 are deposited; provided that any parking fees assessed and collected by a school shall be deposited to the credit of the school’s nonappropriated local school fund account.
- (d) The department may contract with the department of accounting and general services or a private entity to implement this section.”

SECTION 3. Section 302A-1148, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§302A-1148]]~~ Use of school facilities ~~[for recreational and community purposes.]~~ and grounds. All public school buildings, facilities, and grounds shall be available for general recreational purposes, and for public and community use, whenever these activities do not interfere with the normal and usual activities of the school and its pupils. Any other law to the contrary notwithstanding, the department shall adopt rules under chapter 91 as are deemed necessary to carry out the purposes of this section and may issue licenses, revocable permits, concessions, or rights of entry to school buildings and grounds for such periods of use as deemed appropriate by the department. All such dispositions, including those in excess of fourteen days, need not be approved by the board of land and natural resources; provided that approval by the board of land and natural resources shall be required when the dispositions are for periods in excess of a year. The department may assess and collect fees and charges from the users of school buildings, facilities, grounds, and equipment~~[-]~~, which include fees and charges assessed and collected by the department for parking on roadways and in parking areas under the jurisdiction of the department, pursuant to section 302A- . The fees and charges shall be deposited into a separate fund and expended by the department under rules as may be adopted by the board~~[-]~~; provided that any parking fees assessed and collected by a school shall be deposited to the credit of that school’s nonappropriated local school fund account.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2010.

(Became law on July 6, 2010, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)

Note

1. Edited pursuant to HRS §23G-16.5.