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## A BILL FOR AN ACT

RELATING TO LONG-TERM CARE FACILITIES.

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

1           SECTION 1. Section 291-51, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "Long-term care facility" shall have the same meaning as  
5 in section 349-21(f)."

6           SECTION 2. Section 291-51.4, Hawaii Revised Statutes, is  
7 amended to read as follows:

8           "~~{~~§291-51.4~~}~~ **Fraudulent verification of an applicant**  
9 **as a person with a disability; fraud committed by long-term care**  
10 **facility; penalty.** A physician who fraudulently verifies that  
11 an applicant is a person with a disability to enable the person  
12 to represent to the issuing agency that the person is qualified  
13 to obtain a removable windshield placard, temporary removable  
14 windshield placard, or special license plates shall be guilty of  
15 a petty misdemeanor. Each fraudulent verification shall  
16 constitute a separate offense. A person who knowingly submits  
17 fraudulent information to the issuing agency to enable a long-



1 term care facility to obtain a special license plate shall be  
2 guilty of a petty misdemeanor."

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

5 "**§291-51.5 Special license plates.** Upon application by a  
6 person with a disability, each county shall issue special  
7 license plates for the vehicle registered in the applicant's  
8 name if the vehicle is primarily used to transport that person.  
9 Upon application by a long-term care facility and pursuant to  
10 rules adopted under section 291-56, each county shall issue  
11 special license plates for the vehicle registered in the name of  
12 the long-term care facility if the vehicle is primarily used to  
13 transport persons with disabilities under the facility's care.  
14 The fee for the issuance of special license plates shall not  
15 exceed the fee charged for similar license plates for the same  
16 class vehicle."

17 SECTION 4. Section 291-52.5, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§291-52.5 Issuance of identification card.** Each issuing  
20 agency shall issue one identification card at the same time it  
21 issues a removable windshield placard, temporary removable  
22 windshield placard, or special license plates to a person with a



1 disability, or issues special license plates to a long-term care  
2 facility."

3 SECTION 5. Section 291-52.6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§291-52.6 Replacement of a lost, stolen, or mutilated  
6 removable windshield placard or identification card. A  
7 removable windshield placard, temporary removable windshield  
8 placard, or identification card that is reported lost, stolen,  
9 or mutilated shall be replaced upon:

10 (1) Submittal to the issuing agency of:

11 (A) A written statement by a person with a disability  
12 or an employee of a long-term care facility that  
13 the placard or identification card was either  
14 lost, stolen, or mutilated; and

15 (B) A completed application for a removable  
16 windshield placard, temporary removable  
17 windshield placard, or identification card to the  
18 issuing agency; and

19 (2) Payment of a fee to the issuing agency.

20 All fees collected by the counties for replacement of a lost,  
21 stolen, or mutilated removable windshield placard shall be  
22 deposited into the state general fund."



1 SECTION 6. Section 291-53, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§291-53 Nontransferability; penalty. (a) The removable  
4 windshield placard, temporary removable windshield placard, or  
5 special license plates shall not be used by anyone other than  
6 the person with a disability to whom it is issued unless it is  
7 being used in connection with the transport of the person with a  
8 disability. An unauthorized person using the removable  
9 windshield placard, temporary removable windshield placard, or  
10 special license plates to obtain the special parking privileges  
11 authorized under this part or otherwise afforded by the State or  
12 counties, shall be guilty of a traffic infraction under chapter  
13 291D and fined not less than \$250 nor more than \$500.

14 (b) Special license plates issued to a long-term care  
15 facility shall only be used in connection with the transport of  
16 a person with a disability. A person making any other use of  
17 special license plates issued to a long-term care facility to  
18 obtain the special parking privileges authorized under this part  
19 or otherwise afforded by the State or counties, shall be guilty  
20 of a traffic infraction under chapter 291D and fined not less  
21 than \$250 nor more than \$500.



1        (c) A removable windshield placard, temporary removable  
2 windshield placard, or special license plates may be confiscated  
3 by a law enforcement officer or commissioned volunteer  
4 enforcement officer of the county law enforcement agency for any  
5 unauthorized use."

6        SECTION 7. Section 291-56, Hawaii Revised Statutes, is  
7 amended to read as follows:

8        "**§291-56 Rules.** The disability and communication access  
9 board shall adopt rules under chapter 91 to carry out the  
10 purposes of this part, including rules for:

11        (1) The issuance, renewal, confiscation, revocation, and  
12 suspension of removable windshield placards, temporary  
13 removable windshield placards, and special license  
14 plates, including procedures for verifying that a  
15 long-term care facility vehicle is primarily used to  
16 transport persons with disabilities under the  
17 facility's care;

18        (2) Decertification, reciprocity, and the replacement of  
19 placards and identification cards;

20        (3) The design of the placard, identification card, and  
21 special license plates;

22        (4) The establishment of fees for placards;



1 (5) Signage and marking of parking spaces; and

2 (6) Penalties."

3 SECTION 8. Statutory material to be repealed is bracketed

4 and stricken. New statutory material is underscored.

5 SECTION 9. This Act shall take effect upon its approval.

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INTRODUCED BY: Mel Carrillo

Michael J. Grayson

Sabrina Marone

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**Report Title:**

Special License Plates; Long-term Care Facilities

**Description:**

Provides special license plates for motor vehicles registered to long-term care facilities to allow such vehicles to be used to park in handicapped stalls while transporting disabled patients under the facility's care.

