

JAN 18 2008

S.B. NO. 2636

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that pregnant women in
2 their third trimester may have difficulty walking far distances
3 and getting in and out of their vehicles in parking lots. The
4 online website, *Babies Online*, in its article *Special Treatment*
5 *for Pregnant Women*, states "One type of special treatment that
6 many pregnant women in their third trimester would appreciate is
7 a parking spot or spots reserved close to doors of shopping
8 centers and grocery stores. By the time you are ready to
9 deliver, walking a mile to buy some milk because you can't find
10 a close spot does not sound too exciting. Especially in the
11 heat of the summer, or if it is cold, snowy, icy or raining
12 outside."

13 Section 1 of Act 46, Session Laws of Hawaii 1984, which
14 enacted part III of chapter 291, Hawaii Revised Statutes,
15 relating to parking for disabled persons, states in pertinent
16 part: "The purpose of this Act is to establish parking
17 privileges for persons with mobility limitations." The



1 legislature finds that pregnant women in their third trimester
2 qualify as having "mobility limitations."

3 The purpose of this Act is to extend the parking for
4 disabled persons law to pregnant women in their third trimester.

5 SECTION 2. Section 291-51, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By amending the definition of "certificate of
8 disability" to read:

9 "Certificate of disability" means a medical statement
10 issued by a licensed practicing physician, which verifies that a
11 person is disabled, limited, [~~or~~] impaired in the ability to
12 walk[-], or is in the third trimester of pregnancy."

13 2. By amending the definition of "person with a
14 disability" to read:

15 "Person with a disability" means a person with a
16 disability [~~which~~] that limits or impairs the ability to walk,
17 and who, as determined by a licensed practicing physician:

18 (1) Cannot walk two hundred feet without stopping to rest,
19 due to a diagnosed arthritic, neurological,
20 orthopedic, renal, vascular, or oncological condition;



- 1 (2) Cannot walk without the use of, or assistance from, a
- 2 brace, cane, crutch, another person, prosthetic
- 3 device, wheelchair, or other assistive device;
- 4 (3) Is restricted by lung disease to such an extent that
- 5 the person's forced (respiratory) expiratory volume
- 6 for one second, when measured by spirometry, is less
- 7 than one liter, or the arterial oxygen tension is less
- 8 than sixty mm/hg on room air at rest;
- 9 (4) Uses portable oxygen; or
- 10 (5) Has a cardiac condition to the extent that the
- 11 person's functional limitations are classified in
- 12 severity as Class III or Class IV according to the
- 13 standards set by the American Heart Association.

14 For purposes of this definition, a person in the third
 15 trimester of pregnancy shall be deemed to be a person with a
 16 disability, without further qualification."

17 3. By amending the definition of "temporary removable
 18 windshield placard" to read:

19 ""Temporary removable windshield placard" means a two-
 20 sided, hanger-style placard issued under this part to a person
 21 with a disability who presents a certificate of disability that
 22 verifies the person's disability in monthly increments, which



1 shall not exceed six months[-]; provided that a temporary
2 removable windshield placard for a person in the third trimester
3 of pregnancy shall expire four months from the date of issuance
4 of the temporary removable windshield placard."

5 SECTION 3. Section 291-51.6, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§291-51.6 **Issuance of temporary removable windshield**
8 **parking placards.** Each county shall issue one temporary
9 removable windshield placard and a second temporary removable
10 windshield placard to each applicant who requests and presents a
11 certificate of disability that verifies the duration of the
12 applicant's disability in monthly increments, which shall not
13 exceed six months[-] or in the case of a person in the third
14 trimester of pregnancy, the placard shall expire four months
15 from its issuance, and upon payment of a fee to the issuing
16 agency. The temporary removable windshield placard shall be
17 designed, fabricated, and sold to the counties at a rate
18 negotiated by the disability and communication access board[-];
19 provided that the color of the temporary removable windshield
20 placard shall be pink for persons in the third trimester of
21 pregnancy."



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2008-2009 as a
 4 grant-in-aid to each county for a mandated program pursuant to
 5 section 5 of article III of the Hawaii State Constitution as
 6 follows:

7	City and County of Honolulu	\$
8	County of Hawaii	\$
9	County of Kauai	\$
10	County of Maui	\$

11 for cost sharing for purposes of this Act.

12 The sum appropriated shall be expended by the department of
 13 transportation for the purposes of this Act.

14 SECTION 5. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect upon its approval;
 17 provided that section 4 shall take effect on July 1, 2008.

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INTRODUCED BY:

Ron Mann

Norman Sakafo
Carol Fukumasa

Arvid Ylze
Clarence K. Iwihara
Rosely H. Pal
Erzanne Chun Oahland

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Report Title:

Parking; Disabled Person; Pregnant Women

Description:

Allows issuance of temporary removable windshield parking placards for women in their third trimester of pregnancy. Makes appropriation to the counties.

