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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

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

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

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

12           "§302A-     Parking; control by department.   (a) The  
13 department may adopt rules in accordance with chapter 91 to  
14 govern the traffic and parking conditions on roadways and other  
15 areas under the jurisdiction of the department.

16           (b) The department, in accordance with chapter 91, may:

17           (1) Assess fees for parking on roadways and in parking  
18 areas under the jurisdiction of the department; and



1       (2) Adopt rules relating to the assessment and collection  
2           of fees for parking specified in this section.

3       (c) Fees collected under this section shall be deposited  
4       into the same fund into which fees and charges assessed and  
5       collected by the department for the use of school facilities  
6       under section 302A-1148 are deposited; provided that any parking  
7       fees assessed and collected by a school shall be deposited to  
8       the credit of the school's nonappropriated local school fund  
9       account.

10       (d) The department may contract with the department of  
11       accounting and general services or a private entity to implement  
12       this section."

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

15       "~~[+]§302A-1148[+] Use of school facilities [for~~  
16       ~~recreational and community purposes.]~~ and grounds. All public  
17       school buildings, facilities, and grounds shall be available for  
18       general recreational purposes, and for public and community use,  
19       whenever these activities do not interfere with the normal and  
20       usual activities of the school and its pupils. Any other law to  
21       the contrary notwithstanding, the department shall adopt rules  
22       under chapter 91 as are deemed necessary to carry out the



1 purposes of this section and may issue licenses, revocable  
2 permits, concessions, or rights of entry to school buildings and  
3 grounds for such periods of use as deemed appropriate by the  
4 department. All such dispositions, including those in excess of  
5 fourteen days, need not be approved by the board of land and  
6 natural resources; provided that approval by the board of land  
7 and natural resources shall be required when the dispositions  
8 are for periods in excess of a year. The department may assess  
9 and collect fees and charges from the users of school buildings,  
10 facilities, grounds, and equipment[-], which include fees and  
11 charges assessed and collected by the department for parking on  
12 roadways and in parking areas under the jurisdiction of the  
13 department, pursuant to section 302A- . The fees and charges  
14 shall be deposited into a separate fund and expended by the  
15 department under rules as may be adopted by the board[-];  
16 provided that any parking fees assessed and collected by a  
17 school shall be deposited to the credit of that school's  
18 nonappropriated local school fund account."

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

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

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**Report Title:**

Education; Parking Fees

**Description:**

Authorizes the Department of Education (DOE) to adopt rules governing traffic and parking conditions on roadways and other areas under its jurisdiction, including rules for the assessment and collection of parking fees. Requires the fees collected to be deposited into the same fund into which fees and charges assessed and collected by DOE for the use of school facilities are deposited; provided that parking fees collected by a school shall be deposited to the credit of that school's nonappropriated local school fund account. Effective July 1, 2010. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

