



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
January 27, 2010

The Honorable Joseph M. Souki, Chair
House Committee on Transportation
Twenty-Fifth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Souki and Members of the Committee:

SUBJECT: HB 1860 – RELATING TO PARKING FOR DISABLED PERSONS

The position and views expressed in this testimony do not represent nor reflect the position and views of the Department of Health.

The State Council on Developmental Disabilities **SUPPORTS THE INTENT OF HB 1860**. The purpose of this bill is to designate the Disability and Communication Access Board (DCAB) as the issuing agency responsible for removable windshield placards, temporary removable windshield placards, special license plates, and identification cards. The bill also deletes the Counties as the issuing agency and increases qualifying disability from four to six years.

Designating DCAB as the issuing agency would result in an increase in overall administrative efficiency in implementing the parking program, and elimination of unnecessary duplication between DCAB and the Counties. Extending the life of the placard from four to six years would be a cost savings to the State and not negatively affect the integrity of the program.

Thank you for the opportunity to submit testimony on HB 1860.

Sincerely,

Handwritten signature of Waynette K.Y. Cabral in black ink.

Waynette K.Y. Cabral
Executive Administrator

Handwritten signature of Rosie Rowe in black ink.

Rosie Rowe
Chair



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

January 27, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON TRANSPORTATION

House Bill 1860 - Relating to Parking for Disabled Persons

The Disability and Communication Access Board (DCAB) strongly supports House Bill 1860 which amends Section 291, Hawaii Revised Statutes, to improve the administration of the parking program for persons with disabilities. DCAB is the State agency responsible for the overall coordination and administration of this federally required program. DCAB is also responsible for promulgating administrative rules, Hawaii Administrative Rules Title 11, Chapter 219, to implement the program.

Although the counties have issued the permits on behalf of the State, the proposed amendment in the bill more accurately reflects the legal requirements of the federal law while still providing the State with the flexibility needed through agreements with the counties similar to drivers licenses, motor vehicle registration fees, etc. Federal law, P.L. 100-641, the Uniform System for Handicapped Parking (1991) establishes the State as the entity responsible for the program. Thus, the permit (placard or license plate) is a State permit and the federal requirements are imposed on the State, not the counties. Section 2 of the bill allows DCAB to enter into an agreement with the counties to issue placards on behalf of DCAB/State with financial arrangements contingent upon funding.

The bill also removes the reimbursement rate to the counties from the statute and places it into administrative rules. As public policy, the rates should not be in the statute. The bill also permits the counties to retain any transaction fees collected, an amount they currently remit to the State general fund. This will simplify accounting.

Finally, the bill also extends the life of the placard from four to six years. This will, in the long run, be a cost saving measure that will not compromise the integrity of the certification process. It will also make it more convenient for the customer with a disability to have the placard remain current for a longer period of time.

Other amendments in the bill are housekeeping. We strongly urge your passage of this bill.

Thank you for the opportunity to testify on this important measure.

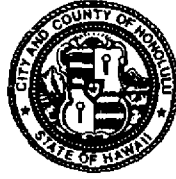
Respectfully submitted,

CHARLES FLEMING
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

AUFI HANNEMANN
MAYOR



GAIL Y. HARAGUCHI
DIRECTOR

DENNIS A. KAMIMURA
LICENSING ADMINISTRATOR

January 25, 2010

The Honorable Joseph M. Souki, Chair
and Committee Members
Committee on Transportation
House of Representatives
State of Hawaii
State Capitol, Room 403
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

Subject: H.B. No. 1860, Relating to Parking For Disabled Persons

The City and County of Honolulu is opposed to the amendment deleting the first sentence contained in Section 2 of H.B. No. 1860. Since the issuance of disabled parking placards and identification cards are a State mandate and the counties will be issuing these placards and identification cards on behalf of the State, the first sentence of Section 291-51.3, HRS, should not be deleted.

The City and County of Honolulu has no objections to the other Sections of the bill and urges your favorable action on H.B. No. 1860, as amended.

Sincerely,


for Gail Y. Haraguchi
Director

PETER L. FRITZ
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HONOLULU, HAWAII 96814
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E-MAIL: PLFLEGIS@FRITZHQ.COM

**THE HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010**

COMMITTEE ON COMMITTEE ON TRANSPORTATION

**Hearing January 27, 2010
Testimony on H.B. 1860
(Relating to Parking For Disabled Persons)**

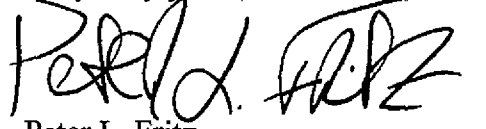
Chair, Souki, Vice-Chair Awana and members of the Committee:

My name is Peter Fritz and while I am the current Chairperson of the Disability and Communication access Board ("DCAB") I am testifying in my personal capacity in support of H.B. 1860.

This bill designates the DCAB as the issuing agency for placards, temporary placards, special license plates, and identification cards for individuals with disabilities and the elderly. It is anticipated that bringing issuance and renewals under the control of the DCAB will enable the DCAB to more efficiently service the growing population of elderly drivers and disabled individuals.

Thank you for the opportunity to testify.

Very truly yours,


Peter L. Fritz

Mark T. Obatake
94-1062 Kahimoe Place
Waipahu, Hawaii 96797

January 27, 2010

The Honorable Members of the House Committee on Transportation
State Capitol
Honolulu, Hawaii 96813

Dear Honored Chair Souki, Vice-Chair Awana, and Committee Members:

A strong recommendation is made for the passage of HB 1860 with no amendments, Relating To Parking For Disabled Persons. The bill provides a measure of flexibility for the State to issue disability parking placards, increasing the efficiency of the issuance process while reducing redundant costs.

When the Americans With Disabilities Act was passed by the federal government in 1990, Hawaii effectively took the necessary measures to ensure that the landmark civil rights law would be implemented. Through the Disability Communication and Access Board (DCAB), the State has administered the disability parking program from its inception and is currently mandated to ensure its implementation. The issuance of placards, however, was initially deemed to be more expedient as a process for the counties, since the counties had all of the customer service centers. This "de-centralized only process" creates some redundant activities and results in some inefficiencies, especially with the advent of the Internet and improved database systems.

HB 1860 will allow the State to determine the most efficient and effective way for the disability parking placards to be distributed to people with disabilities. Since the State is already mandated to administer the disability parking program, the bill will simply put the authority of issuing the placards under the State. The bill would not prohibit the State from negotiating issuance options with the counties, but would enable the State to decide the best and most cost effective process. DCAB is comprised of board members who are people with disabilities, and their goal is to provide the best service to citizens with disabilities.

It is my hope that your committee will pass HB 1860 without amendments. Thank you for your consideration of this matter.

Respectfully submitted,

Mark T. Obatake

TO: House Committee on Transportation
Wednesday, Jan. 27, 2010 at 8:30 a.m.
Conference Room 309

FROM: Kirby L. Shaw
425 Ena Road, #706-A
Honolulu, HI 96815
k.shaw@hawaii.rr.com
944-0828

SUBJ: HB 1860 - RELATING TO PARKING FOR DISABLED PERSONS

Rep. Joseph M. Souki, Chair
Rep. Karen Leinani Awana, Vice-Chair
Members of the House Committee on Transportation
Kirby L. Shaw – Individual with a disability, parking placard holder
Wednesday, January 27, 2010

Support for HB 1860 - Relating to Parking for Disabled Persons

Dear Transportation Committee,

I am an individual with a disability who uses a power wheelchair. I have a van that deploys a ramp from the passenger side of the vehicle. I need to park my van in a parking space reserved for persons with disabilities that provides an adjacent access aisle. Because I have a parking placard, I am able to use such parking spaces. Thus, HB 1860, Relating to Parking for Disabled Persons, is of significant interest to me.

I am writing to express strong support for HB 1860. The bill amends the existing statute by defining "issuing agency" to mean the Disability and Communication Access Board, an agency of the State of Hawaii. This designation is appropriate because it comports with 23 CFR 1235, which makes each state responsible for establishing a uniform system of parking for persons with disabilities, including the issuance of disabled parking placards.

In addition, the bill extends the certification of disability from four (4) years to six (6) years. This modest change will reduce the burden of obtaining recertification of eligibility for individuals with permanent conditions such as myself. If an individual's eligibility status changes or the individual passes away while the placard is still valid, the administrative rules (§ 11-219-8, HAR) provides a mechanism for recovery of the placard. Importantly, under this amendment, the State's cost would decrease because the number of renewal placards issued per year would correlatively decrease.

Therefore, for the reasons above, **I urge the committee to support this bill.** Thank you for considering my testimony. Please contact me by mail, e-mail, or phone if you have any questions. Mahalo nui.

Sincerely,

/s/
KIRBY L. SHAW

awana1-Enoka

From: C.Fleming/ M. Lu [kahuna00@hawaiiantel.net]
Sent: Monday, January 25, 2010 3:02 PM
To: TRNtestimony
Subject: HB 1859 and HB 1860

Honorable Committee Members,

I'm contacting you to express my strong support for passage of the above bills.

Although Federal law mandates to the states responsibility for the provision of handicap parking placards to qualified disabled persons,

as a person with a disability who uses a wheelchair, I am particularly concerned that a secure funding source is established to ensure their ongoing availability in Hawaii.

Also, I believe that it is imperative to designate a state agency with the responsibility and accountability to implement the parking program in such manner to provide for efficient and equitable distribution of parking placards and maintain an effective data system to make sure placards are issued only to qualified disabled persons.

These bills, if enacted, will provide for just such a system.

Thank for your consideration.

**Charles W. Fleming
75-310 W. Kakalina PL.
Kailua-Kona, HI 96740
kuna00@hawaiiantel.net**