



DISABILITY AND COMMUNICATION ACCESS BOARD

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

February 2, 2012

TESTIMONY TO THE HOUSE COMMITTEE ON HUMAN SERVICES

House Bill 2104 – Relating to Parking for Disabled Persons

The Disability and Communication Access does not support House Bill 2104 that would expand the eligibility of the parking placard for persons who are blind or visually impaired. Our Board implements the Uniform System for Parking for Persons with Disabilities authorized by Public Law 100-641 that enhances access and the safety of persons with disabilities which limit or impair the ability to walk.

The Federal Highway Administration and National Highway Traffic Safety Administration under Part 1235 issued federal administrative rules on March 1, 1991 to Title 23, Code of Federal Regulations, Chapter II, Subpart B. The rules' definition for "persons with disabilities which impair the ability to walk" is very specific. It means "a person who, as determined by a licensed physician:

- (1) Cannot walk two hundred feet without stopping to rest; or
- (2) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
- (3) Are restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
- (4) Use portable oxygen; or
- (5) Have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- (6) Are severely limited in their ability to walk due to an arthritic, neurological, or orthopedic condition."

The preamble states, in part:

"The Committee discussed whether the definition should include blindness as a disability that limits or impairs a person's ability to walk. The Committee reviewed a resolution passed by the National Federation of the Blind (NFB). The resolution, Resolution 85-22, finds that blindness, in and of itself, is not a mobility impairment and that the problems blind persons face with respect to mobility cannot be remedied by making handicapped parking spaces available to them. Furthermore, the resolution states that the NFB opposes the use of a parking space designated for persons with disabilities by blind persons who do not truly need a space. For these reasons, the Committee recommends that the definition contained in the final rule should not include blindness as a disability that limits or impairs the ability to walk."

It was the intent of Congress to provide the opportunity to obtain parking permits to persons with disabilities that limit their physical mobility or limits their ability to walk a long distance. Individuals who are blind or visually impaired do not meet the recommended definition as stated in the federal rules.

We ask that you hold this bill in Committee.

Thank you for the opportunity to testify.

Respectfully submitted,


BARBARA FISCHLOWITZ-LEONG
Chairperson


FRANCINE WAI
Executive Director

To: Committee on Human Services
Representative John Mizuno, Chair
Representative Jo Jordan, Vice Chair

Date: Thursday, February 2, 2012
Time: 8:30 a.m.
Place: Conference Rm. 329

Testifier: Eudice Schick, Chair Policy Advisory Board For Elder Affairs
"PABEA"

Bill: HB 2104
In Strong Support

Chair Mizuno and Committee Members, thank you for the opportunity to submit testimony in strong support of HB 2104, relating to Human Services.

I am Eudice Schick, current Chair of PABEA. The following testimony is being given by myself as an individual and in no way represents the views of the Executive Office on Aging.

As Chair of PABEA and, as a physically challenged Kupuna, the passage of HB 2104 is vital, as this bill will provide a great safety measure for those that are visually impaired or blind. Those people are certainly deserving of this safety measure as any one of us who deals with any other type of handicap.

I encourage you to support HB 2104.

Thank you for your consideration of my testimony.

Sincerely,
Eudice Schick, Chair PABEA