



## DISABILITY AND COMMUNICATION ACCESS BOARD

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

February 24, 2012

### TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

#### House Bill 2552 – Relating to Funding for Parking for Disabled Persons

The Disability and Communication Access Board (DCAB) strongly supports House Bill 2552 Relating to Funding for Disabled Persons. The purpose of this bill is to increase the annual vehicle registration fee by \$1.00, which will be deposited into the DCAB accessible parking account within the DCAB Special Fund to cover the costs of administering parking for persons with disabilities.

To refresh your memory, this bill was passed out of conference committee last year but was deferred on the last day of session due to a technical flaw in the drafting of the bill. As the Legislature supported the bill last year, we ask that you take the same action this year by supporting this bill.

DCAB is the State agency responsible for the overall coordination and administration of this federally required program. The parking program is managed through a centralized, Internet-based database operated by DCAB staff. DCAB enters into memorandums of agreement with the counties to issue first time and replacement placards on a walk-in basis at satellite city halls. The renewals are issued through a mail-in process by the DCAB office.

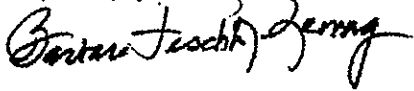
The program now is one hundred percent (100%) general funded, except for a small portion of revenue collected for replacement and temporary placards which is retained by the counties. The revenue generated will allow the program to be self-sufficient. Reliance on general funds is expected to be reduced in the subsequent biennium by approximately \$503,000. This bill would finance the program through a new source of revenue in lieu of the general fund. This bill proposes to create a revenue stream from the motor vehicle registration fee. We believe that this nominal increase will ensure the continued existence of this program in a manner that ensures quality and integrity of the program and not tap into valuable, limited general funds. DCAB has discussed this with the counties to ensure that it is administratively feasible, as well as the State Department of Transportation to ensure that they can transfer the money collected to the Department of Health. We have assurances of support in this regard.

Because the placard is transferable to any vehicle and only vehicles can park in accessible parking stalls, this program actually benefits all vehicle owners who potentially can transport a person with a placard. This is a more appropriate financing mechanism than the general fund.

Should the bill pass in 2012, the DCAB general fund requirement will be reduced in the subsequent biennium by approximately \$503,000. The bill would take effective January 1, 2013 to allow the counties to reprogram their computers. We ask that you not make any adjustments to our budget in the subsequent fiscal year, as program expenses will not be moved to, nor charged against, the Special Fund until July 1, 2013.

Thank you for the opportunity to provide comment.

Respectfully submitted,



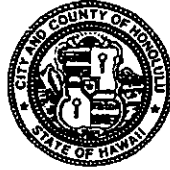
BARBARA FISCHLOWITZ-LEONG  
Chairperson



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

PETER B. CARLISLE  
MAYOR



GAIL Y. HARAGUCHI  
DIRECTOR

DENNIS A. KAMIMURA  
LICENSING ADMINISTRATOR

February 22, 2012

The Honorable Marcus Oshiro, Chair  
and Committee Members  
Committee on Finance  
House of Representatives  
State of Hawaii  
State Capitol, Room 306  
Honolulu, Hawaii 96813

Dear Chair Oshiro and Committee Members:

Subject: H.B. No. 2552, Relating to Funding For Parking For Disabled Persons

The City and County of Honolulu has no objections to H.B. No. 2552 which will require the addition of \$1 to the State registration fee to be deposited into the Disability and Communication Access Board (DCAB) special fund. This fee will provide the necessary funds for DCAB to reimburse the counties for issuance of disabled persons placards and identification cards.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis A. Kamimura".

Dennis A. Kamimura  
Licensing Administrator

# TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

**SUBJECT:** MOTOR VEHICLE, Increase registration fee for disabled parking program

**BILL NUMBER:** SB 2814; HB 2552 (Identical)

**INTRODUCED BY:** SB by Tsutsui by request; HB by Say by request

**BRIEF SUMMARY:** Amends HRS section 249-31 to increase the annual state motor vehicle registration fee from \$45 to \$46 and provide that \$1 of that amount shall be deposited into the disability and communication access board special fund.

**EFFECTIVE DATE:** January 1, 2013

**STAFF COMMENTS:** This is an administration measure submitted by the department of health HTH-02(12). This bill proposes to increase the annual state motor vehicle registration fee by \$1 and earmarks that \$1 to cover the costs of administering the parking for persons with disabilities program. While the justification sheet submitted by the department of health states that since this program is currently funded by 100% of general funds, the adoption of this measure will result in more general funds available for other programs. If this measure is adopted, the funding for this program will be from the \$1 increase in the state motor vehicle registration fee that is paid each time a motor vehicle is registered. While it will create a funding source and provide that \$1 will be deposited into the disability and communication access board special fund each time a motor vehicle is registered, this will provide funds to the program automatically without any legislative oversight or scrutiny, resulting in a special fund that could either be underfunded or produce more revenues than needed to run the program, thereby making it a fund to be raided when the legislature is on the hunt for more money to spend.

The adoption of this measure may open the door for other "add-ons" to provide revenue for other "important" programs. In 2004, Act 158 increased the state motor vehicle registration fee from \$5 to \$25 and deposited \$20 in the highway fund and \$5 into the emergency medical special fund. While it appears that the \$1 fee proposed appears to be a nominal amount, if this particular program area requires additional funds, there is no doubt that the amount of the fee will be increased or other sources of revenue may be tapped.

If the legislature considers the parking for persons with disabilities program to be a high priority, then it should be subject to the general fund appropriation process to ensure that adequate funds are appropriated and reviewed by the legislature rather than the method proposed by this measure. The bottom line is that this proposal is nothing more than a tax increase as the justification sheet points out, that it frees up money in the general fund for other programs. Much as the health department may want to make the proposal look like it is related to highway transportation, it has nothing to do with highways for which the registration fee is imposed. It is for parking for the disabled which is already subsidized by highway users as a disabled permit allows the vehicle to be parked with paying the parking fee. As such, this measure should not be approved.

Digested 2/3/12

PETER L. FRITZ  
414 KUWILI STREET, #104  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 532-7118  
E-MAIL: PLFLEGIS@FRITZHQ.COM

HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012 COMMITTEE ON FINANCE

COMMITTEE ON FINANCE

Hearing date: February 24, 2012

Time: 10:00 AM - Agenda 1

Testimony on H.B. 2552

(Relating To Funding For Parking For Disabled Persons)

Chair Oshiro, Vice-Chair Lee, and members of the Committee, thank you for the opportunity to testify in support of H.B. 2552.

My name is Peter L. Fritz. I am an attorney, an individual with a disability and member of the Disability and Communications Access Board ("DCAB").

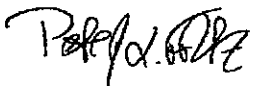
This bill would create an Accessible Parking Special Account within the Disability and Communication Access Board Special Fund. It would be funded by increasing the state vehicle registration fee by \$1. This amount would be deposited into the Accessible Parking Special Account. All costs associated with the statewide Parking Program for Persons with Disabilities would be paid from the Accessible Parking Special Account beginning July 1, 2012. General funds would no longer be needed to fund the parking program or disabled persons and the cost of the program would be narrowed to vehicle owners instead of the general public.

DCAB is the State agency responsible for the overall coordination and administration of this federally required program. The program currently is one hundred percent general funded with the exception of a small percentage of temporary or replacement placards issued for which the user pays a nominal fee of \$12. The cost of the program currently comes from general funds.

I support this bill for the following reasons:

- This bill would create a revenue stream from the motor vehicle registration fee with a modest assessment of \$1 on the motor vehicle registration fee. This nominal increase will ensure the continued existence of this program in a manner that ensures quality and integrity of the program and not tap into valuable, limited general funds.
- It is appropriate for the cost of the program to be paid by motor vehicle owners because the placards are issued to motor vehicle owners. The placards are transferable to any vehicle and only vehicles can park in accessible parking stalls. This program benefits all vehicle owners who potentially can transport a person with a placard.

Respectfully submitted,



Peter L. Fritz

TO: House Committee on Finance  
Friday, Feb. 24, 2012 at 10:00 a.m.  
Conference Room 308

FROM: Kirby L. Shaw  
425 Ena Road, #706-A  
Honolulu, HI 96815  
kirby@hawaiiantel.net  
944-0828

SUBJ: HB 2552 - RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS

Rep. Marcus R. Oshiro, Chair  
Rep. Marilyn B. Lee, Vice Chair  
Members of the House Committee on Finance  
Kirby L. Shaw – Individual with a disability, parking placard holder  
Friday, February 24, 2012

**RE: Support for HB 2552 - Relating to Funding for Parking for Disabled Persons**

Dear Finance Committee,

I have a physical disability that requires use of a power wheelchair. **HB 2552 is important to me** because my van deploys a ramp from the side of the vehicle. Therefore, I need to use disability parking spaces that feature an "access aisle" (the additional 5' or 8' wide striped area next to the vehicle space). I am able to use such parking spaces because Hawaii law authorizes me to obtain a disability parking permit.

**I strongly support for HB 2552.** The bill raises the annual motor vehicle registration fee by \$1 for deposit into the Disability and Communication Access Board special fund to cover the costs of administering the disability parking program under Chapter 291, Part III, HRS.

The parking placard allows qualified persons with mobility impairments to park in parking spaces reserved for persons with disabilities; which provide (1) an access aisle to deploy a mobility device (wheelchair, walker, etc.) and (2) a close distance to a facility's entrance for those with difficulty moving under their own power. The reserved spaces afford me and others with physical disabilities the opportunity to conduct business, buy groceries, see a movie at a theater, dine at a restaurant, buy tools at the hardware store, etc. The ability to park and exit/enter my vehicle removes a significant barrier that would otherwise prevent or make it very difficult for me and others from doing those things noted above.

Raising the annual registration fee by \$1 for each motor vehicle is a nominal amount to ensure that the disability parking program continues to give persons with disabilities the ability to generate economic activity and to participate in society. Importantly, **the proposed special fund would provide a continuous, stable funding source for the disability parking program and result in savings to the General Fund.**

Therefore, **I ask the committee to support HB 2552.** Thank you for considering my testimony. Mahalo nui.

Sincerely,

/s/  
KIRBY L. SHAW

## **FINTestimony**

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**From:** C.Fleming/ M.Lu [kahuna00@hawaiiintel.net]  
**Sent:** Wednesday, February 22, 2012 12:02 PM  
**To:** FINTestimony  
**Subject:** HB 2552

Members, House Finance Committee,

I am writing to provide testimony expressing my support of this bill. Passage would guarantee funding for the federally mandated parking placard for persons with disabilities.

This, for me, is an important personal issue, not just an abstract legal principle or even a matter of convenience. Without the continued availability of the blue placard, I would not be able to

live my life as an independent member of society and would have to depend on assistance to carry out the normal activities of daily life. I am a wheelchair user and live in Kona where there is little in the way of reliable public transportation. So I must use a modified van in order to drive. The van has a hand control brake and a ramp which extends about 5" in order for me to enter and leave it. This means that I must use the standard van accessible handicapped parking space with parallel access aisle for the ramp to deploy, otherwise I cannot park in a public lot.

Without a valid placard, I could not make use of such facilities as Kona Civic Center, Costco for groceries, Longs for drugs and medical supplies, shopping malls for movies and recreation, Keahole airport, etc.

The list goes on and on. I am just one of thousands of disabled people in Hawaii with placards, who must use them everyday to park near enough to shopping, medical facilities, recreational facilities and government offices so that they may function in the community.

It is clear to me that the parking placard for persons with disabilities must have a dedicated funding source to assure that it is not vulnerable every year to the vagaries of the budget process.

The above bill provides for such a source via the addition of a \$1.00 charge at vehicle registration, an amount paid once a year that would not even equal the cost of 25% of a gallon of gas.

Anyone who drives a car can afford this amount. This mechanism is cost effective in that it will ensure that many people with disabilities will be able to function independently and will not require the assistance of personal attendants, shoppers, para-transit, and other services requiring public subsidies and tax-payer support.

The enactment of this bill only makes sense. I urge you to pass it.

Mahalo,

Charles W. Fleming  
75-310 W. Kakalina Dr.  
Kailua-Kona, HI 96740  
(808) 326-4708

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

February 23, 2012

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

Dear Honored Chair Oshiro, Vice-Chair Lee, and Committee Members:

A strong recommendation is made to pass HB 2552, Relating To Funding For Parking For Disabled Persons. The bill will ensure the viability of the State's accessible parking program to meet statutory obligations for the civil rights of people with disabilities.

When the Americans With Disabilities Act was passed in 1990, accessible parking was mandated as a civil rights measure to enable people with mobility impairments to accomplish daily activities in their community. Without an accessible parking stall, a person in a wheelchair cannot exit the vehicle, a person using a walker would have extreme hardship, and a person with a cardiac condition would tire before reaching a building's entrance. Accessible parking is a need, not a convenience, for these people. Today, there are 4 to 5 times the number of accessible parking placard holders than the amount of available accessible parking stalls. This means that the enforcement of use, issuance, data tracking, and collection of placards is crucial to the practicality of accessible parking.

The process for new and renewed placard issuance and the collection of placards from deceased users have been streamlined, enhancing outcomes and lowering costs to taxpayers. However, the State's accessible parking program has not been able to address an antiquated data tracking system for placard holders and a comprehensive implementation for statewide enforcement of proper placard use. The data system needs to be re-programmed to gain better information for placard expirations, outstanding unreturned placards, and patterned misuse. Enforcement requires dedicated recruitment, training and supervision in the police departments for volunteer parking officers. The current volunteer enforcement program is not given priority due to a lack of funds, is seriously undermanned, and does not have communication devices to coordinate activities. Additionally, when a volunteer enforcement offices is unavailable, parking violations are lumped together with other 911 calls which generates inconsistent responses from regular police officers.

The State's general fund cannot provide the needed initiatives to fix the varied problems associated with accessible parking. For these reasons, it is my hope that your committee will pass HB 2552.

Thank you for your consideration of this matter.

Respectfully submitted,

Mark T. Obatake



## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2012 10:32 PM  
**To:** FINTestimony  
**Cc:** Tlenzer@hawaii.rr.com  
**Subject:** Testimony for HB2552 on 2/24/2012 10:00:00 AM

Testimony for FIN 2/24/2012 10:00:00 AM HB2552

Conference room: 308  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Anthony Lenzer, Ph.D  
Organization:  
E-mail: [Tlenzer@hawaii.rr.com](mailto:Tlenzer@hawaii.rr.com)  
Submitted on: 2/22/2012

Comments:  
Chair Oshiro and Members of the Finance Committee:

My name is Anthony Lenzer. I am officially testifying on behalf of the Policy Advisory Board for Elder Affairs (PABEA), which advises the Executive Office on Aging (EOA), and advocates for older adults and their families. This testimony only represents the views of PABEA, and not those of EOA. PABEA strongly supports HB 2552, and respectfully requests your support as well. This bill would add \$1 to the state vehicle tax to be used to fund administration of the disabled parking program by the Disability Communication & Access Board (DCAB).

My support is also based on two other perspectives, i.e., as a disabled placard user and as a former member of DCAB's Parking Committee. As a placard user, I can tell you that this program has been enormously valuable to me. It has enabled me to make medical and other appointments; attend meetings; shop conveniently; and do other necessary chores. In addition, my year's interim appointment on the DCAB Board has allowed me to see the DCAB Board and staff at work. The staff is dedicated, hard-working, and very efficient; they do their job very well. Also, creating this very modest user fee will save state general funds, a highly desirable objective, especially in these difficult times.

I understand that there have been some objections, because this is an additional cost to vehicle owners. Is this a serious problem? It cost me \$384 to register my 2008 Honda Odyssey this year. I don't believe I would have even noticed if my bill had been \$385 instead! And I suspect this is also true of the great majority of vehicle owners.

Please support HB 2552, and thank you for the opportunity to testify.

February 23, 2012

Marcus R. Oshiro  
Chair, Finance Committee

Aloha Chair and Finance Committee Members:

Please accept my letter in support of HB 2552. I am a person with disabilities, afflicted with Muscular Dystrophy, a debilitating neuromuscular disease, which causes atrophy beginning with the major, larger muscles in the arms and legs, then spreading to the smaller and internal muscles that control organ functions.

I am also a former Volunteer Police Disabled Parking Enforcement Officer, who has written many citations to those who abuse and misuse the right to use a disabled parking stall. People with disabilities rely on disabled parking stalls as we travel about. It is not only necessary but required by law to have these parking stalls readily available to those who need them.

However, many times you find these disabled parking stalls being occupied by vehicles without the proper placard or license plate required to use them. When observing these violations, I would call 911 requesting for a police officer to enforce the law, only to wait and observe the violator leave the premises due to the length of time it takes the police officer to get to the scene. With all due respect, I do not fault the police department for their lack of urgency. I understand there are many critical and urgent priorities other than a parking violation. However, to a person with disabilities it is a main concern. The bottom line is that people with disabilities are crying out for better enforcement.

Approving HB 2552 will allow better enforcement by,

- Creating a new database, that can create exception reports, such as deceased users and expired placards.
- Provide funding to all counties to create a Disabled Parking Program.
- Produce ID cards with photos to eliminate misuse of placard.
- Provide radios and laptops to allow Enforcement Officers access to vital information of placard users and their vehicles.
- As a safety issue, provide Enforcement Officers with emergency beacons.

Thank you so much for your time and consideration to this important matter.

Sincerely,

Glenn S. Nakamura

*"At the foundation of our society is the ability to live independently and move freely." "This freedom is no less important to people with disabilities."*

Thomas E. Perez, Assistant Attorney General of the Civil Rights Division

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2012 9:10 AM  
**To:** FINTestimony  
**Cc:** lkakatsu@hawaii.rr.com  
**Subject:** Testimony for HB2552 on 2/24/2012 10:00:00 AM

Testimony for FIN 2/24/2012 10:00:00 AM HB2552

Conference room: 308  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Lynn Murakami-Akatsuka  
Organization: Individual  
E-mail: [lkakatsu@hawaii.rr.com](mailto:lkakatsu@hawaii.rr.com)  
Submitted on: 2/23/2012

### Comments:

I am in strong support of HB 2552 which increases the state vehicle registration fee by \$1, monies which would be deposited in the Disability and Communication Access Board (DCAB) Special Fund, to cover the cost of administering the parking program for persons with disabilities. I am a 20 plus years user of the parking permit due to my physical disabilities. The program is administered by the Disabilities and Communication Access Board (DCAB) which has done an excellent job in advocating for individuals with disabilities to access facilities and to assure that this service is monitored and not abused. DCAB is taking a proactive position in being self-sufficient and to operate without dependence on general funds. I applaud this action.

Thank you for very much for the opportunity to testify in strong support of the passage of HB 2552.