
A BILL FOR AN ACT

RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS.

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

1 SECTION 1. The legislature finds that the statewide
2 parking program for persons with disabilities, as established
3 under part III of chapter 291, Hawaii Revised Statutes, pursuant
4 to the federal Uniform System for Handicapped Parking Act, and
5 administered by the disability and communication access board,
6 provides individuals with mobility disabilities the ability to
7 travel and park in accessible parking stalls. The purpose of
8 this Act is to fund the disabled person parking program with
9 revenues from a portion of the motor vehicle registration fee.

10 SECTION 2. Section 249-31, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§249-31 State registration fee.** (a) All vehicles and
13 motor vehicles in the State as defined in section 249-1,
14 including antique motor vehicles, except as otherwise provided
15 in sections 249-4 and 249-6, shall be subject to a [~~\$45~~] \$46
16 annual vehicle registration fee. The fee shall be paid each
17 year together with all other taxes and fees levied by this
18 chapter on a staggered basis as established by each county as

1 authorized by section 286-51, and the state registration for
2 that county shall likewise be staggered so that the state
3 registration fee is due and payable at the same time and shall
4 be collected together with the county fee. The state
5 registration fee shall be deemed delinquent if not paid with the
6 county registration fee. The respective counties shall collect
7 this fee together with the vehicle registration tax collected
8 for the county and shall transfer the moneys collected under
9 this section to the State.

10 (b) From each annual motor vehicle registration fee, the
11 director shall deposit \$40 into the state highway fund [~~and~~], \$5
12 into the emergency medical services special fund[~~-~~], and \$1 into
13 the disability and communication access board special fund
14 established pursuant to section 348F-7."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act upon its approval, shall take effect
18 on January 1, 2014.

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INTRODUCED BY:



BY REQUEST

JAN 22 2013

H.B. NO. 892

Report Title:

Disabled Persons Parking; Funding

Description:

Increases the state vehicle registration fee by \$1, to be deposited into the Disability and Communication Access Board Special Fund to cover the costs of administering the parking program for persons with disabilities.

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

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS.

PURPOSE: The purpose of this bill is to increase the annual vehicle registration fee by \$1, which will be deposited into the Disability and Communication Access Board (DCAB) Special Fund to cover the costs of administering parking for persons with disabilities.

MEANS: Amend section 249-31, Hawaii Revised Statutes.

JUSTIFICATION: The program now is 100 percent general funded. The new fee, including money paid to the counties, 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.

Impact on the public: The public will benefit because general funds will be freed up for other important purposes through a nominal \$1 increase in an annual fee.

Impact on the department and other agencies: Department of Transportation collects fee from the counties.

GENERAL FUND: Should the bill pass in 2013, the DCAB general fund requirement will be reduced in the subsequent biennium by approximately \$503,000.

OTHER FUNDS: None.

HB892

Page 2

PPBS PROGRAM
DESIGNATION:

HTH-520.

OTHER AFFECTED
AGENCIES:

The counties must change their computer program for the motor vehicle registration fee to collect the additional \$1.

EFFECTIVE DATE:

January 1, 2014.



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 30, 2013

TESTIMONY TO THE HOUSE COMMITTEE ON TRANSPORTATION

House Bill 892 – Relating to Funding for Parking for Disabled Persons

The Disability and Communication Access Board (DCAB) strongly supports House Bill 892 - 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.

DCAB is the State agency responsible for the overall administration of this program. The parking program is managed through a centralized, Internet-based database operated by DCAB. 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, expect for a small portion of revenue collected for replacement and temporary placards. This bill proposes to create a revenue stream from the motor vehicle registration fee. The revenue generated will allow the program to be self-sufficient. 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. 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. 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.

Should the bill pass in 2013, the DCAB general fund requirement will be reduced in the subsequent biennium by approximately \$503,000. The revenue will also allow us to modernize the system, particularly the database, and to fund enhanced enforcement. The bill would take effective January 1, 2014 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, 2014.

Thank you for the opportunity to provide comment.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson

FRANCINE WAI
Executive Director

To: Committee on Transportation
Representative Ryan Yamane, Chair
Representative Linda Ichiyama, Vice Chair

Date: Wednesday, January 30, 2013
Time: 10:00 a.m.
Place: Conference Rm. 309

Testifier: Eudice Schick, Individual
Policy Advisory Board for Elder Affairs, "PABEA"

Bill: HB 892
In Strong Support

Chair Yamane and Committee Members, thank you for the opportunity to submit testimony in strong support of HB 892, relating to disabled parking fee.

I am Eudice Schick, current board member 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.

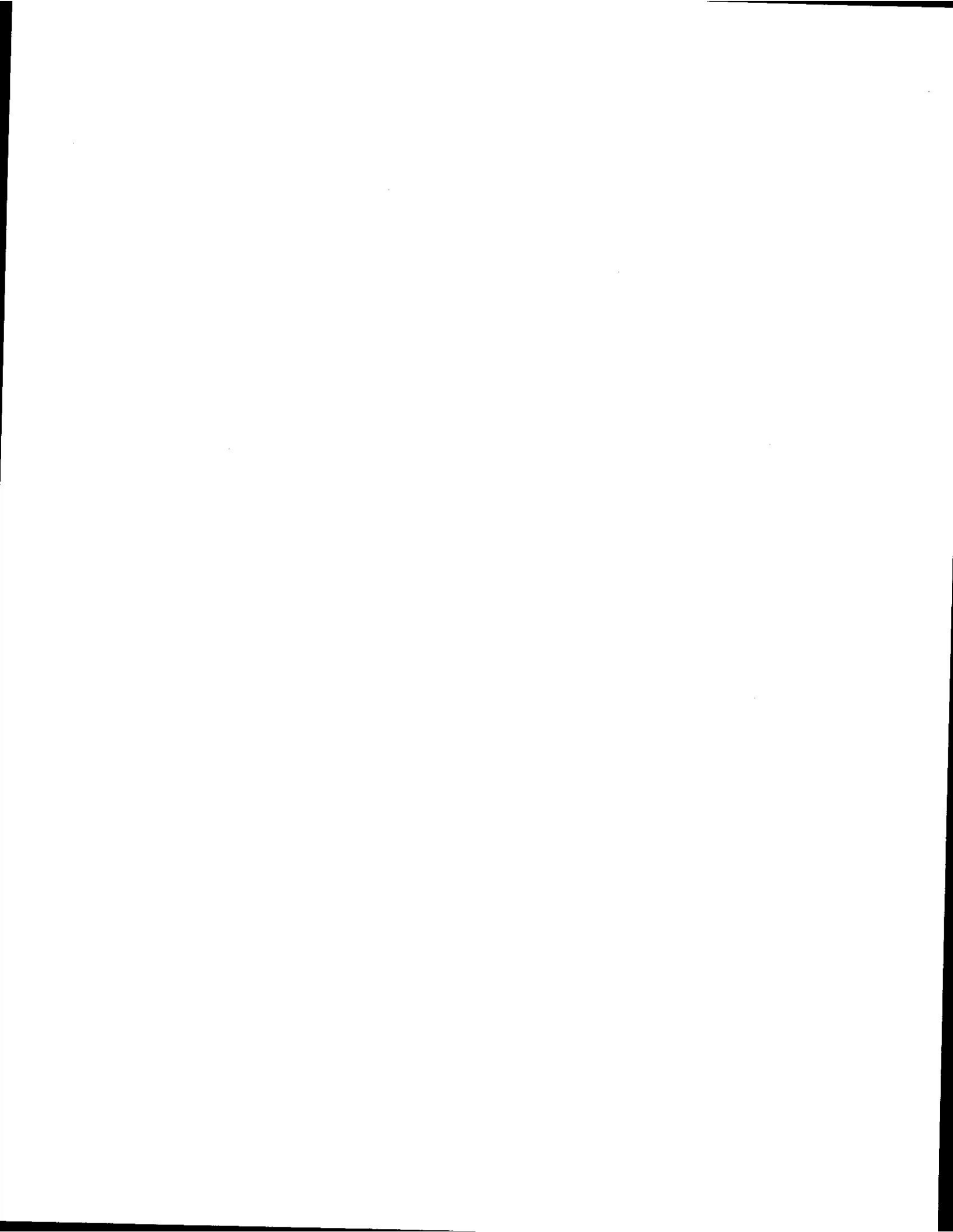
As a disabled person with the privilege of having a handicap parking permit I very much appreciate the convenience that it affords me and the many others that are able to obtain a permit. A one-dollar increase in the vehicle registration fee is such a negligible amount and, in total, would certainly make a great deal of difference in DCAB's overall budget. This one-dollar will go along way in helping with the handling of the disabled parking permits.

Thank you for your consideration of my testimony for HB 892.

Sincerely,



Eudice Schick



Fax Number: 586-6221

No. of pages: 2 (includes cover page)

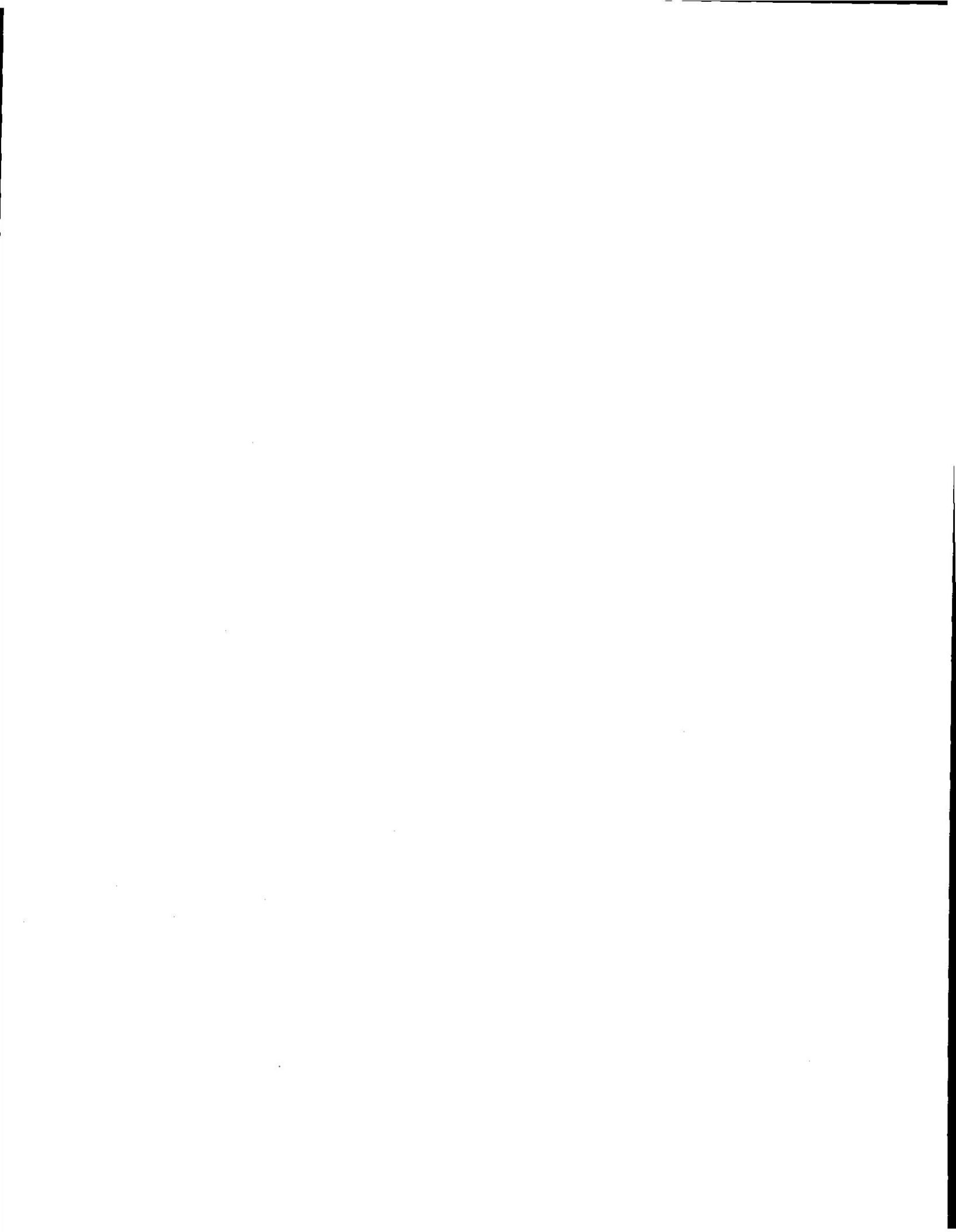
Testifier: Eudice R. Schick, Individual
Policy Advisory Board for Elder Affairs

Committee: Committee On Transportation

Date and Time: Wednesday, January 30, 2013 10 a.m. rm. 309

Measure number: HB 892

No. of copies: 10



TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

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

BILL NUMBER: SB 1123; HB 892 (Identical)

INTRODUCED BY: SB by Kim by request; HB by Souki 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, 2014

STAFF COMMENTS: This is an administration measure submitted by the department of health HTH-01(13). 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 free up general funds in the amount of \$503,000 and make them 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 new 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. It should be noted that there over one million taxable motor vehicles are registered in the state. Thus, adoption of the dollar per vehicle fee will produce more than twice the amount that the measure states will be freed up in state general funds or about \$503,000.

The justification sheet argues that the dollar fee will allow the programs to be self sufficient - a term that the department of health does not seem to understand. This measure is asking all motor vehicle owners to subsidize a program that should be paid either by the disabled driver beneficiaries or by the public at large through a general fund appropriation. Enacting such a fee insures that the funding for this program will always be flying under the radar as there is no accountability to the motor vehicles owners who will be paying the fee for a program from which they derive no benefit. More importantly, motor vehicle taxes are dedicated for the construction and maintenance of the state highway system. Deviating from the relationship between users and beneficiaries seriously jeopardizes the accountability for this fee.

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 without paying the parking fee. As such, this measure should not be approved.

Digested 1/29/13

PETER L. FRITZ
200 NORTH VINEYARD BOULEVERD, #430
HONOLULU, HAWAII 96817
TELEPHONE: 1711 CALL ME (808) 568-0077
E-MAIL: PLFLEGIS@FRITZHQ.COM

**HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013**

COMMITTEE ON TRANSPORTATION

Hearing date: January 30, 2013

Time: 10:00 AM

Testimony on H.B. 892

(Relating To Funding For Parking For Disabled Persons)

Chair Yamane, Vice Chair Ichiyama, 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").

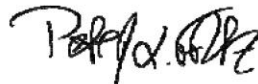
This bill would create an Accessible Parking Special Account within the Disability and Communication Access Board Special Fund. It would be funded by increasing the state vehicle registration fee by \$1. This amount would be deposited into the Accessible Parking Special Account. All costs associated with the statewide Parking Program for Persons with Disabilities would be paid from the Accessible Parking Special Account beginning July 1, 2013. 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

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 26, 2013 1:30 PM
To: TRNtestimony
Cc: lkakatsu@hawaii.rr.com
Subject: Submitted testimony for HB892 on Jan 30, 2013 10:00AM

HB892

Submitted on: 1/26/2013

Testimony for TRN on Jan 30, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka	Individual	Support	No

Comments: I strongly support HB 892 that will provide funds to cover the costs of administering the parking program for person with disabilities. In addition, our increasing aging population in Hawaii is served by the parking program due to their advanced physical limitations. Thank you for this opportunity to testify.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

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

January 28, 2013

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

Dear Honored Chair Yamane, Vice-Chair Ichiyama, and Committee Members:

As a person with a chronic disability, I strongly recommend the passage of HB 892 with no amendments, Relating To Funding For Parking For Disabled Persons. The bill ensures that the State of Hawaii disability parking placard program will have the necessary funds to continue services for citizens 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 it, 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, the population of accessible parking placard holders outnumbers available stalls due to growing demographics. 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. HB 892 establishes a funding mechanism that is tied to vehicle registration. The amount per vehicle is negligible and is logical in connecting vehicle registration to a vehicle utilization issue. HB 892 provides the means to assist the State's growing population of citizens with disabilities and fulfill the State's own mandate to administer the disability parking program.

Please pass HB 892 without amendments. Thank you for your consideration of this matter.

Respectfully submitted,

Mark T. Obatake

