

SB-974-HD-2

Submitted on: 4/2/2018 10:55:54 AM

Testimony for FIN on 4/3/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Mick	Individual	Support	Yes

Comments:

Aloha Finance Committee members. My name is Bryan Mick am testifying as an individual in support of this bill. I live and work downtown and see daily abuse by disability parking permit holders when it comes to the parking meter fee exemption. I want to clarify too erroneous claims that have been made in prior hearings of this bill.

Claim 1: This bill will force people with disabilities to return to their cars to feed the meter as its expires. This is not accurate because under existing law, the parking meter is only exempt for the first 2.5 hours or the maximum time the meter allows, whichever is longer. Therefore people with disabilities are already required to return to the meter and either feed it or move their car. A lot of them don't, and instead play the odds that parking enforcement won't note what time they originally parked and just assume the car is still within its payment free window. In fact, I suspect this is the most frequent abuse of the parking permits - I see the same cars parked all day in the same stalls. The only new requirement in this bill is that people would have to pay the meter when they first park. It does make it easier for parking enforcement to determine if a vehicle is in violation of non-payment, but that's a good thing.

Claim 2: This bill will create two categories of people with disabilities, only one of which would get the financial benefit of free parking. That is not accurate, this bill creates a third category. Existing law creates two categories, those whose disability is a mobility disability and those whose disability is not. Only those with mobility disabilities can obtain a parking permit and therefore only they receive free parking. An example would be someone with both arms amputated does not qualify for a parking permit and therefore must pay for their parking. Yet someone who had major knee surgery can obtain a permit and park for free. This shows why using the permit eligibility to provide financial assistance is not an advisable method. I absolutely support the government providing financial assistance to people with disabilities, especially to those who qualify as low income, but that assistance should be available to everyone with a long-term disability or have a practical connection to any eligilbity restrictions.

Mahalo.

Testimony of Kirby L. Shaw

House Committee on Finance

Tuesday, April 3, 2018

1:30 p.m.

Conference Room 308

Dear Chair Luke and Committee Members:

I am writing in support of SB 974 SD2 HD2 – Relating to Parking for Disabled Persons. I am a quadriplegic and use a power wheelchair. I do not drive my vehicle. My wife or another person drives me. I have a disability parking permit.

This bill will correct the State statute – H.R.S §291-55 – that allows anyone with a disability parking permit to park a vehicle at a metered parking space without feeding the meter for 2.5 hours or the maximum time the meter allows, whichever is longer. The law is overly broad because it gives away free parking to anyone with a parking permit, regardless of whether the person is able to gain access to or feed a meter because of his or her disability.

The law should only waive the meter fee for those who drive themselves, but who, because of their disability cannot gain access to or feed a meter. The bill will remove an unjustified economic benefit – free parking – for anyone with a disability parking permit. Instead, the grounds for the meter fee waiver should be this justifiable purpose: relieving a licensed driver from the obligation to pay parking meter fees because he or she cannot gain access to or feed the meter because of his or her disability.

The bill will remove the incentive of many medically unqualified individuals who I believe pressure their physicians to certify their eligibility to obtain a disability parking permit. I have witnessed on countless occasions obviously unqualified individuals taking advantage of the "free parking" giveaway. In addition, family members and others associated with the permittee "borrow" the permit to obtain free parking without transporting the permittee. The practice is illegal, but without adequate enforcement, such persons are not deterred. Perhaps you and the other committee members have witnessed the same and wondered how the heck this is happening. Moreover, the bill will result in larger revenue from meter collections.

Thank you very much for considering my testimony on this important and long overdue bill.

Respectfully,

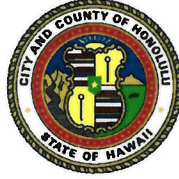
KIRBY L. SHAW

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DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

April 3, 2018

LATE

The Honorable Sylvia Luke, Chair
and Members of the House
Committee on Finance
State Capitol, Room 306
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke and Members of the Committee:

SUBJECT: Testimony in SUPPORT of Senate Bill No. 974, S.D.2, H.D.2
Relating to Parking for Disabled Persons

The Department of Transportation Services, on behalf of the City and County of Honolulu ("City"), is providing testimony in support of Senate Bill No. 974, S.D.2, H.D. 2, relating to parking for disabled people. We appreciate and thank the Committee on Transportation for including proposed amendments to House Draft 1.

For consistency, we would suggest that on page 3, line 6, the word "metered" be deleted from the purpose of the Act.

The City and County of Honolulu operates over 10,000 parking spaces for a fee. About 4,000 of those are on-street metered spaces and another 1,000 are off-street metered spaces. The statewide program for persons with disabilities, established under part III of chapter 291, HRS, provides individuals with mobility disabilities the ability to park in any metered space for free for the first two-and-a-half hours or the maximum time the meters allows. The program was established to give reasonable accommodation to those who could not reach or operate a parking meter because of a disability.


Few persons who take advantage of the disability parking privilege have the disability the legislation was intended to accommodate. Instead, many people are abusing the program which is difficult to enforce. Recent data indicates that up to 50% of all metered parking spaces along some streets in Waikiki are occupied by vehicles displaying disabled placards and not paying for parking. The City supported the

The Honorable Sylvia Luke, Chair
and Members
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establishment of the Waikiki Transportation Management Association ("WTMA") to assist the City in better managing the limited curb space in Waikiki for the benefit of the many who desire to use such space. Enactment of Senate Bill No. 974, S.D.2, H.D. 2, will greatly assist the City and organizations such as the WTMA in making parking management more efficient and equitable.

Thank you for the opportunity to submit testimony in support of Senate Bill No. 974, S.D. 2, H.D. 2.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Wes Frysztacki', with a long horizontal flourish extending to the right.

Wes Frysztacki
Director

SB-974-HD-2

Submitted on: 4/2/2018 8:27:58 PM

Testimony for FIN on 4/3/2018 1:30:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

We continue to STRONGLY OPPOSE this bill. Mahalo.

LATE



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

March 21, 2018

TESTIMONY TO THE HOUSE COMMITTEE ON TRANSPORTATION Senate Bill 974, SD2, HD1 – Relating to Parking for Disabled Persons

The Disability and Communication Access Board (DCAB) supports Senate Bill 974, SD2, HD1 - Relating to Parking for Disabled Persons. DCAB is the state agency responsible for coordinating the statewide parking program for persons with disabilities and this bill was initiated by DCAB.

Section 291-55, Hawaii Revised Statutes (HRS), provides that any vehicle displaying a disability parking permit is exempted from payment of parking meter fees for two-and-a-half hours or the maximum time allowed by the meter, whichever is longer. The current exemption goes beyond the original intent of the law, which was to waive the fee for drivers who could not reach or operate parking meters because of a physical disability. The original purpose of the law was not to provide free parking for all disability parking permit holders. An unintended consequence of the current exemption was the creation of an incentive for persons to obtain a permit for the benefit of not paying the meter fees. In addition, it is an added temptation for those other than the permit holders, such as family members and others, to illegally use the permit to avoid paying parking meter fees.

A recent study, "Emerging Trends in Parking Survey," conducted by the International Parking Institute indicates that the #1 recommended "solution" for accessible parking placard abuse is to "eliminate free parking for placard users."

We wish to clarify that this bill does not change any person's eligibility for a permit or suggest that they do not need a permit. It only removes the free meter privilege. For example, if you park in a lot with an attendant, everyone must pay the parking fee regardless of whether one has a placard. There are jurisdictions that are removing the free parking privilege entirely. However, DCAB is following the lead in other states to limit the meter fee exemption to only those people who cannot feed the meter and are drivers. We have researched other states and believe that we can, with lead time, implement such a program.

Therefore, this bill will (1) narrow the exemption from payment of parking meter fees to only licensed drivers who cannot reach or operate a parking meter because of their disability, (2) reduce the illegal use of disability parking permits by persons other than permit holders to avoid parking meter fees, (3) clarify the meter fee exemption which applies to the first two-and half hours or the maximum time the meter allows requiring permit holders to move their vehicles after the time expires, and (4) increase revenue to the State. In addition, qualified applicants will be issued a distinguishing parking permit decal while parked in metered parking spaces to signify their exemption from payment pursuant to Section 291-55, HRS.

We would like to draw your attention to item (4) above. This bill will increase revenue, although that is not the primary motivation for the bill. By eliminating the free meter privilege, parking revenue will increase. We have no way of knowing exactly how much revenue would increase. However, we know that there are 107,895 permits issued as of June 30, 2017. We estimate, based on the experience of other states, that approximately 100,000 of those permittees will not qualify for the meter exemption. Conservatively, if each person pays only \$10 in meter fees in a year, the additional revenue would be \$1,000,000.

DCAB respectfully requests that the effective date of the bill be amended to January 1, 2020 to allow sufficient time to amend our rules and implement the program.

Thank you for the opportunity to testify.

Respectfully submitted,

A handwritten signature in cursive script that reads "Francine Wai".

FRANCINE WAI
Executive Director