

Honolulu, Hawaii

**APR 25 2019**RE: S.B. No. 1236  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1236, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Limit the exemption from parking fees to drivers with a disability who are unable to operate a parking meter or pay station due to their disability and who display a distinguishing parking device, code, permit, or decal;
- (2) Clarify time limits applicable to the parking exemption for disabled persons;
- (3) Prohibit the unauthorized sale or purchase of disability parking placards and special license plates;



- (4) Clarify the authority of enforcement officers to confiscate placards and special license plates for violations of requirements for manufacture, sale, purchase, or use; and
- (5) Authorize an advanced practice registered nurse to make a determination regarding a person's mobility.

Your Committee on Conference finds that the statewide parking program for persons with disabilities provides individuals with mobility disabilities the opportunity to drive and park in accessible parking stalls. Your Committee on Conference further finds that the current exemption for disabled persons to park in metered spaces without paying a fee exceeds the original intent of the parking exemption for certain disabled individuals. The original intent was to exempt disabled persons who are licensed to drive and unable to reach or insert payment into a parking meter due to their disability. However, existing law exempts any vehicle displaying a valid disability parking permit from paying a parking fee.

Your Committee on Conference notes that the S.D. 2 version of this measure also sets certain limitations from parking fees for eligible drivers. More specifically, the S.D. 2 version of this measure:

- (1) Clarifies that the exemption from parking fees applies only to disabled persons who drive and are unable to reach or operate a parking meter or an unattended pay station due to a physical disability;
- (2) Updates relevant statutes to reflect current parking technology and terminology;
- (3) Makes the act of selling or buying a disability parking permit a misdemeanor;
- (4) Authorizes a law enforcement officer or a commissioned volunteer enforcement officer of a county law enforcement agency to confiscate a disability parking permit that is invalid or has been altered; and
- (5) Clarifies the types of disabilities that qualify for a disability parking permit and authorizes an advanced



practice registered nurse to make a determination who qualifies as a "person with a disability".

Your Committee on Conference further notes that the S.D. 2 version of this measure better aligns with the original intent of the statewide parking program for persons with disabilities as it addresses the concerns of various stakeholders.

Accordingly, your Committee on Conference has amended this measure by reverting back to the S.D. 2 version of this measure and further amending it by:

- (1) Permitting, beginning July 1, 2021, drivers who display a disabled paid parking exemption permit to be allowed to park without payment for the first two-and-a-half hours or the maximum time a meter allows, whichever is longer;
- (2) Making it effective upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

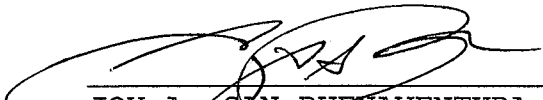
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1236, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1236, S.D. 2, H.D. 2, C.D. 1.

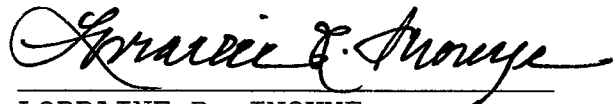



Respectfully submitted on behalf  
of the managers:

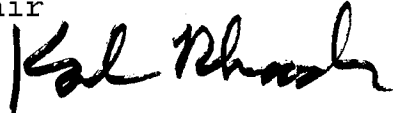
ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

  
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JOY A. SAN BUENAVENTURA  
Co-Chair

  
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LORRAINE R. INOUE  
Chair

  
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CHRIS LEE  
Co-Chair

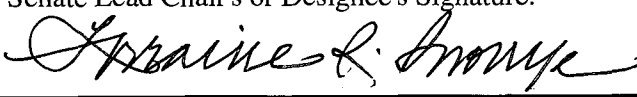

  
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KARL RHOADS  
Co-Chair

  
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NADINE K. NAKAMURA  
Co-Chair

  
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KAI'I'I KAHELE  
Co-Chair



Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 1236, SD 2, HD 2</b>					Date/Time: <i>4/23/2019 1:50pm</i>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
INOUYE, Lorraine R., Chr.		✓				SAN BUENAVENTURA, Joy A., Co-Chr.		✓			
RHOADS, Karl, Co-Chr.		✓				LEE, Chris, Co-Chr.		✓			
KAHELE, Kaiali'i, Co-Chr.		✓				NAKAMURA, Nadine K., Co-Chr.		✓			
HARIMOTO, Breene		✓				WARD, Gene		✓			
FEVELLA, Kurt		✓									
TOTAL		5				TOTAL		4			
A = Aye		WR = Aye with Reservations			N = Nay			E = Excused			
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:						
											
Distribution:		Original			Yellow		Pink		Goldenrod		
		File with Conference Committee Report			House Clerk's Office		Senate Clerk's Office		Drafting Agency		