
A BILL FOR AN ACT

RELATING TO 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, established under
3 part III of chapter 291, Hawaii Revised Statutes, pursuant to
4 P.L. 100-641 (23 C.F.R. 1235), and administered by the
5 disability and communication access board, provides individuals
6 with mobility disabilities the opportunity to travel and park in
7 accessible parking stalls. The disability and communication
8 access board administers the program, which together with the
9 counties, issues removable windshield placards, temporary
10 removable windshield placards, or special license plates. A
11 vehicle displaying a disability parking permit is authorized to
12 park in spaces designed and reserved for persons with mobility
13 disabilities.

14 The purpose of this Act is to:

15 (1) Prohibit the unauthorized sale or purchase of certain
16 disability parking permits; and



1 (2) Clarify the authority of law enforcement officers and
2 commissioned volunteer enforcement officers of the
3 county law enforcement agencies to confiscate invalid
4 disability parking permits in certain circumstances.

5 SECTION 2. Chapter 291, Hawaii Revised Statutes, is
6 amended as follows:

7 §291-B Unlawful sale or purchase. Any person who sells or
8 purchases a placard that was fraudulently manufactured or
9 altered in violation of section 291-52.7 or who purchases or
10 sells a removable windshield placard, temporary removable
11 windshield placard, special license plates, or distinguishing
12 parking device, code, permit or decal except in compliance with
13 sections 291-51.5, 291-51.6, 291-52, and 291-55 may be guilty of
14 a misdemeanor.

15 §291-C Confiscation. (a) A law enforcement officer or
16 commissioned volunteer enforcement officer of a county law
17 enforcement agency may confiscate:

18 (1) A removable windshield placard, a temporary removable
19 windshield placard, special license plates, or a
20 distinguishing parking device, code, permit, or decal
21 for:



- 1 (A) Fraudulent manufacturer or alteration pursuant to
- 2 section 291-52.7;
- 3 (B) Any unauthorized use pursuant to section 291-53;
- 4 or
- 5 (C) Unlawful sale or purchase pursuant to section
- 6 291-B; or
- 7 (2) An invalid removable windshield placard, an invalid
- 8 temporary removable windshield placard, invalid
- 9 special license plates, or an invalid distinguishing
- 10 parking device, code, permit, or decal for:
- 11 (A) Display of an invalid removable windshield
- 12 placard, invalid temporary removable windshield
- 13 placard, or invalid special license plates
- 14 pursuant to section 291-57(a)(2); or
- 15 (B) Use of an invalid distinguishing parking device,
- 16 code, permit, or decal to obtain the parking
- 17 privilege authorized under section 291-55.
- 18 (b) Any law enforcement officer or commissioned volunteer
- 19 enforcement officer of a county law enforcement agency who
- 20 confiscates a removable windshield placard, temporary removable
- 21 windshield placard, special license plate, or distinguishing



1 parking device, code, permit, or decal pursuant to this section
2 shall issue a citation to the purported violator. Any citation
3 issued pursuant to this section shall include a fine of at least
4 \$500 but no more than \$1,000."

5 SECTION 3. Section 291-53, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§291-53 Nontransferability; penalty.** The removable
8 windshield placard, temporary removable windshield placard, or
9 special license plates shall not be used by anyone other than
10 the person with a disability to whom it is issued unless it is
11 being used in connection with the transport of the person with a
12 disability. An unauthorized person using the removable
13 windshield placard, temporary removable windshield placard, or
14 special license plates to obtain the special parking privileges
15 authorized under this part or otherwise afforded by the State or
16 counties, shall be guilty of a traffic infraction under chapter
17 291D and fined not less than ~~\$250~~ \$500 nor more than ~~\$500~~
18 \$1,000. [~~A removable windshield placard, temporary removable~~
19 ~~windshield placard, or special license plates may be confiscated~~
20 ~~by a law enforcement officer or commissioned volunteer~~



1 ~~enforcement officer of the county law enforcement agency for any~~
2 ~~unauthorized use.]"~~

3 SECTION 4. In codifying the new sections added by section
4 2 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 5. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 9. This Act shall take effect on January 1, 2020.

10



Report Title:

Disabled Persons; Parking; Placards and Plates; Traffic
Violations

Description:

Establishes a penalty for unauthorized sale, use, or purchase of a disability parking permit. Clarifies law enforcement authority to confiscate altered, invalid, or unauthorized disability parking permits.

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

