

Honolulu, Hawaii

MAR 21 2019

RE: H.B. No. 696
H.D. 2
S.D. 1

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

Sir:

Your Committee on Transportation, to which was referred H.B. No. 696, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Limit the exemption from parking fees to eligible drivers with a disability who are unable to operate a parking meter or pay station due to their disability;
- (2) Clarify the time limits applicable to the parking fee exemption;
- (3) Make the act of selling or buying a fraudulently manufactured or altered disability parking permit and the act of buying or selling a disability permit when not authorized to have such permit a misdemeanor;
- (4) Clarify the authority of enforcement officers to confiscate placards and special license plates for violation of requirements for manufacture, sale, purchase, or use; and



- (5) Authorize advanced practice registered nurses to make a determination regarding a person's mobility.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Honolulu Police Department, and three individuals.

Your Committee 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. However, your Committee 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.

Your Committee notes that Senate Bill No. 1236, S.D. 2 (Regular Session of 2019), which was previously passed by the Senate, is a substantially similar measure that, among other things, also sets certain limitations from parking fees to eligible drivers with a disability. Your Committee believes that the language in Senate Bill No. 1236, S.D. 2 is preferable because it aligns the statewide parking program for persons with disabilities with the original intent of the program. In addition, Senate Bill No. 1236, S.D. 2, addresses the concerns of various stakeholders who provided testimony to your Committee.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of Senate Bill No. 1236, S.D. 2, a substantially similar bill, which:

- (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) Makes the act of selling or buying a disability parking permit a misdemeanor;
- (3) Authorizes law enforcement officers to confiscate a disability parking permit that is invalid or has been altered; and



- (4) Clarifies the types of disabilities that qualify for a disability parking permit.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 696, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 696, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,


LORRAINE R. INOUYE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
HB696, HD2	TRS, JDC/WAM	3/15/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Breene Hart</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes