



## DISABILITY AND COMMUNICATION ACCESS BOARD

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March 15, 2019

### TESTIMONY TO THE SENATE COMMITTEE ON TRANSPORTATION

#### House Bill 696, HD 2 - Relating to Parking for Disabled Persons

The Disability and Communication Access Board (DCAB) is the State agency that administers the statewide program on parking for persons with disabilities. DCAB SUPPORTS House Bill 696, HD 2 because it makes several needed amendments to the disabled persons parking statute, Hawaii Revised Statutes, Chapter 291, Part III. However, DCAB prefers the contents of Senate Bill 1236, SD 2 because it does all of the following:

- (1) Makes the unauthorized sale or purchase of certain disability parking permits a misdemeanor;
- (2) Clarifies the authority of law enforcement officers and commissioned volunteer enforcement officers to confiscate disability parking permits in certain circumstances;
- (3) Rewords the definition of "person with a disability" to provide clarity for certifying physicians and advanced practice registered nurses. This will not change who qualifies for a parking permit;
- (4) Adds the term "disability parking permit" that encompasses the various forms of a disability parking permit; and
- (5) Clarifies that the exemption from payment of fees at parking meters and unattended pay stations is an exception for licensed drivers who are not able to reach or operate a parking meter or unattended pay station because of a physical disability.

Therefore, DCAB requests the Committee to amend this bill by replacing its contents with the entirety of Senate Bill 1236, SD2.

We thank you for the opportunity to provide testimony.

Respectfully submitted,

FRANCINE WAI  
Executive Director

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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March 15, 2019

The Honorable Lorraine R. Inouye, Chair  
and Members  
Committee on Transportation  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 225  
Honolulu, Hawaii 96813

Dear Chair Inouye and Members:

SUBJECT: House Bill No. 696, H.D. 2, Relating to Parking for Disabled Persons

I am Andre Peters, Acting Captain of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 696, H.D. 2, Relating to Parking for Disabled Persons. This bill would allow any law enforcement and commissioned volunteer enforcement officers the ability to cite and confiscate fraudulent placards.

The Revised Ordinances of Honolulu, Section 15-4.10, states that the Chief of Police shall commission special officers designated by the director of the department of transportation services to issue citations for all nonmoving traffic violations including but not limited to citations for parking and tow zone violations. These special officers are designated as parking violation clerks in the HPD. The HPD requests that the bill be amended to add in language of "special officers" to the list of authorized persons.

The HPD supports creating a misdemeanor offense for the sale, manufacture, alteration, or unauthorized use of valid or invalid placards.

The HPD requests that there be conspicuous differences on a disability parking permit and a disabled paid parking permit to allow law enforcement, commissioned volunteer enforcement, and special officers to be able to quickly and correctly identify the permits.

The HPD urges you to support House Bill No. 696, H.D. 2, Relating to Parking for Disabled Persons.

The Honorable Lorraine R. Inouye, Chair  
and Members  
Page 2  
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Thank you for the opportunity to testify.

Sincerely,

*Andre Peters*  
for Andre Peters, Acting Captain  
Traffic Division

APPROVED:

*Susan Ballard*  
Susan Ballard  
Chief of Police

**LATE**

Testimony of Kirby Shaw

House of Representatives  
Committee on Transportation  
Friday, March 15, 2019  
10:45 a.m.  
Conference Room 225

Good morning Chair Inouye, Vice Chair Harimoto and Committee Members:

My name is Kirby Shaw. I SUPPORT HB 696, HD2 – Relating to Parking for Disabled Persons. The bill will improve the disabled persons parking program because

- (1) it prohibits the unauthorized sale or purchase of disabled persons parking permits;
- (2) it expressly authorizes law enforcement officers and commissioned volunteer enforcement officers to confiscate disabled persons parking permits that are invalid or fraudulently manufactured or altered; and
- (3) it limits the exemption from payment of parking meter and pay station fees to applicants who are licensed to drive, but are unable to reach or operate parking meters or pay stations because of a physical disability.

Please pass this bill. Thank you for considering my testimony.

KIRBY SHAW

**LATE**

TESTIMONY OF  
LARRY S VERAY

TO

COMMITTEE ON TRANSPORTATION

***SUPPORT OF HB 696 HD2***

***RELATING TO PARKING FOR DISABLED PERSONS***

**MARCH 14, 2019**

Aloha, Chair Lorraine Inouye, Vice Chair Breene Harimoto and Committee members. Although I am Chair for the Pearl City Neighborhood Board No. 21, I am submitting this testimony as an individual.

This bill is extremely important to enhance safety, respect and ability for disabled drivers who are unable to reach, operate a parking meter or an unattended pay station because of one's physical disability, and who display a disabled paid parking exemption permit. Importantly, this bill allows law enforcement to confiscate a disabled parking permit that has been altered, invalid, sold or purchased illegally.

You have the ability to dramatically improve policy and the law for disabled persons that have been privileged with the use of disabled parking placards. Many family members and friends of those disabled persons who use their family members personal vehicle and disabled parking placard illegally will now have law enforcement to confiscate those altered or invalid placards. This bill will be an impact on the elderly and disabled when permits are confiscated by law enforcement; however, this bill will make those family members think about parking in a disabled parking stall illegally or altering placards for their own personal use.

I most strongly urge you to pass HB 696 HD2. Mahalo!

Very respectfully,

*Larry S. Veray*

March 14, 2019

**LATE**

To: Senate Committee on Transportation

From: Bryan K. Mick

Re: HB 696 HD 2 Relating to the Parking Program for People with Disabilities –  
Hearing on March 15, 2019 at 10:45 am

Aloha Chair Inouye and committee members,

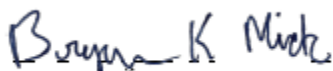
I write to you in full support of HB 696 HD 2, or as an alternative the administration version of this bill SB 1236 whose language could be inserted into this bill. HB 696/SB 1236 bill will do three things, all of them efforts to reduce the large amount of abuse that occurs with parking permits. In order of importance, those three things are:

- 1) Restrict the parking meter fee exemption to only those who drive and are unable to feed or operate a meter. This will remove one of the greatest incentives for someone to obtain a permit under false pretenses or to use a permit that belongs to someone else.
- 2) Make it illegal for a private citizen to buy or sell a parking permit.
- 3) Provide that parking enforcement officers can confiscate permits that are fraudulent, expired, bought or sold, or used by someone other than the permittee.

The main purpose of the permits is to allow people to park in reserved accessible stalls, not to provide free parking. Hawaii would be the fifth state to restrict meter parking in this manner, while 23 states have no free parking for anyone. The tiered system is a good compromise that reduces the financial incentive for people to fraudulently obtain or use a placard, or to overstay the maximum time they are actually exempted from payment - which is the first 2.5 hours, or the maximum time the meter allows, whichever is longer. States who have implemented this system have seen the total number of permit holders drop, which indicates quite a few people are applying for permits only to get free parking, not because they need to use an accessible parking stall.

In 2016, the City of Boston's Inspector General released a report that estimated the City was losing somewhere between \$900,000 and \$3 million per year due to disability parking placard abuse of parking meter exemptions. Honolulu is likely losing a similar amount. Those moneys should be going into the Highway fund, and it makes sense to try and capture it rather than raising the gas tax or vehicle weight tax. The tiered system is fair and it protects those who cannot actually reach or operate the meter.

Mahalo,



Bryan K. Mick