

JAN 15 2025

A BILL FOR AN ACT

RELATING TO TRAIL ACCESSIBILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that individuals with
2 disabilities face unique challenges when seeking to access and
3 enjoy public lands, state parks, and wilderness areas. The
4 ability to connect with nature is a fundamental right that
5 fosters physical well-being, mental health, and community
6 inclusion. Accessible trail programs designed to enhance the
7 experiences of disabled individuals in outdoor recreational
8 areas have proven effective in fostering inclusivity, enriching
9 lives, and promoting equity. Research demonstrates the positive
10 impacts of programs such as the Colorado parks and wildlife
11 system, which offers adaptive equipment and accessible trails
12 through its "track-chair program". This initiative provides
13 individuals with mobility impairments access to state park
14 trails previously deemed inaccessible. The program has received
15 widespread acclaim for improving physical and emotional health
16 outcomes among participants and exemplifies a successful
17 partnership between public funding and private sponsorship.



1 Similarly, the Mount Shasta trail association in California has
2 implemented a series of wheelchair-accessible wilderness trails.
3 These include widened paths, specially designed viewpoints, and
4 signage to cater to a wider range of individuals with
5 disabilities. These efforts have significantly increased
6 participation rates of individuals with disabilities in
7 wilderness activities and established a model for other states
8 to emulate.

9 The legislature recognizes that the State is renowned for
10 its natural beauty and recreational opportunities and must
11 ensure that its public lands are accessible to all of its
12 residents and visitors. Establishing an inclusive program to
13 enhance accessibility will provide individuals with disabilities
14 an opportunity to engage with Hawaii's diverse ecosystems while
15 promoting values of equity and sustainability. Further, by
16 leveraging existing successful models from other states,
17 including these in Colorado and California, the State can ensure
18 its own program will be efficient and effective.

19 It is the legislature's intent that this Act shall serve as
20 a commitment to ensuring that all individuals, regardless of



1 physical ability, have an equal opportunity to experience and
2 benefit from Hawaii's unique natural landscapes.

3 Accordingly, the purpose of this Act is to:

4 (1) Establish an accessible wilderness and state parks
5 trails program to enhance outdoor recreational
6 opportunities for individuals with disabilities;

7 (2) Promote partnerships with public and private
8 organizations to fund and sustain the program, and
9 enshrine the principles of inclusivity, equity, and
10 environmental stewardship in the design and
11 implementation of the program; and

12 (3) Establish the accessible wilderness and state parks
13 trails program special fund.

14 SECTION 2. Chapter 198D, Hawaii Revised Statutes, is
15 amended by adding a new part to be appropriately designated and
16 to read as follows:

17 **"PART . ACCESSIBLE WILDERNESS AND STATE PARKS TRAILS**
18 **PROGRAM**

19 **§198D- Definitions.** For the purposes of this part:

20 "Accessible trail" means a designated pathway in a
21 wilderness area or state park that is constructed or modified to



1 meet the needs of individuals with disabilities in compliance
2 with applicable federal and state accessibility standards.

3 "Adaptive equipment" means a specialized device or
4 technology designed to enable an individual with a disability to
5 access and utilize outdoor recreational facilities, including
6 but not limited to wheelchairs, track-chairs, and other mobility
7 aids.

8 "Division" means the division of state parks of the
9 department of land and natural resources.

10 **§198D- Accessible wilderness and state parks trails**
11 **program; established; duties; report; rules.** (a) There is
12 established within the division an accessible wilderness and
13 state parks trails program to be administered by the department.

14 The program shall:

- 15 (1) Develop, construct, and maintain accessible trails
16 within the State's wilderness areas and state parks;
17 (2) Provide adaptive equipment for individuals with
18 disabilities to enhance accessibility to state park
19 facilities; and
20 (3) Promote equity in access to the State's natural
21 resources and recreational opportunities.



- 1 (b) The department shall:
- 2 (1) Identify and prioritize trails and park areas for
- 3 accessibility upgrades;
- 4 (2) Procure and maintain adaptive equipment for public
- 5 use;
- 6 (3) Collaborate with stakeholders, including disability
- 7 advocacy groups, local communities, and private
- 8 organizations to ensure that program goals align with
- 9 community needs;
- 10 (4) Secure funding via legislative appropriations, federal
- 11 grants, and public-private partnerships; and
- 12 (5) Ensure that all projects under the accessible
- 13 wilderness and state parks trails program comply with
- 14 applicable federal law, including the Americans with
- 15 Disabilities Act, and state accessibility standards.
- 16 (c) The department shall submit a report, including any
- 17 proposed legislation, to the legislature no later than twenty
- 18 days prior to the convening of each regular session, detailing:
- 19 (1) Program activities and accomplishments;
- 20 (2) Total expenditures and funding sources; and



1 (3) Future plans for the expansion of trail accessibility
2 and adaptive equipment availability.

3 (d) The department may adopt rules pursuant to chapter 91
4 necessary to implement this part, including but not limited to:

- 5 (1) Procedures for the use of adaptive equipment;
- 6 (2) Scheduling and reservations for accessible trails; and
- 7 (3) Standards for new or upgraded facilities.

8 **§198D- Accessible wilderness and state parks trails**

9 **program special fund; established.** (a) There is established in
10 the state treasury an accessible wilderness and state parks
11 trails program special fund into which shall be deposited:

12 (1) Appropriations by the legislature into the special
13 fund;

14 (2) Gifts, donations, and grants from public agencies,
15 including the United States government and private
16 persons; and

17 (3) All interest earned on or accrued to moneys deposited
18 in the special fund.

19 (b) The special fund shall be administered by the
20 department.



1 (c) Subject to legislative oversight, the moneys in the
2 special fund shall be expended for:

3 (1) Permanent and temporary staff positions to administer
4 the special fund;

5 (2) Administrative and operational costs of the accessible
6 wilderness and state parks trails program; and

7 (3) The construction or modification of a wilderness area
8 or state park to meet the needs of individuals with
9 disabilities in compliance with applicable federal and
10 state accessibility standards."

11 SECTION 3. There is appropriated out of the general fund
12 the sum of \$ or so much thereof as may be necessary
13 for fiscal year 2025-2026 and the same sum or so much thereof as
14 necessary for fiscal year 2026-2027 to be deposited into the
15 accessible wilderness and state parks trails program special
16 fund.

17 SECTION 4. There is appropriated out of the accessible
18 wilderness and state parks trails program special fund the sum
19 of \$ or so much thereof as may be necessary for fiscal
20 year 2025-2026 and the same sum or so much thereof as necessary
21 for fiscal year 2026-2027 for the expansion of trail



1 accessibility and adaptive equipment availability at wilderness
2 areas and state parks pursuant to this Act.

3 The sums appropriated shall be expended by the department
4 of land and natural resources for the purposes of this Act.

5 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: _____

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S.B. NO. 415

Report Title:

DLNR; Division of State Parks; Accessible Wilderness and State Parks Trails Program; Accessible Wilderness and State Parks Trails Program Special Fund; Trail Accessibility; Americans with Disabilities Act; Reports; Appropriations

Description:

Establishes the Accessible Wilderness and State Parks Trails Program within the Division of State Parks of the Department of Land and Natural Resources. Establishes the Accessible Wilderness and State Parks Trails Program Special Fund. Requires reports to the Legislature. Appropriates funds.

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