

A Bill for an Act Relating to Parking for Disabled Persons.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Purpose. The purpose of this Act is to establish parking privileges for persons with mobility limitations. The Act further establishes uniform criteria of eligibility for those parking privileges. The legislature recognizes that parking for disabled persons is uncoordinated, as substantiated by the study conducted by the commission on the handicapped, and that multiple and often conflicting eligibility requirements and permits exist in the State and its political subdivisions. This Act provides for uniform parking privileges for disabled persons throughout the State.

SECTION 2. Chapter 291, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . PARKING FOR DISABLED PERSONS

§291- Definitions. As used in this part, the following terms have the following meanings:

“Certificate of disability” means a medical statement issued by a licensed practicing physician, either in private practice or with a governmental agency, which verifies that a person is a disabled person.

“Disabled person” means any person:

- (1) Who has lost the use of one or both lower extremities;
- (2) Who is so severely disabled as to require the use of a mechanical device, including a wheelchair, a walker, crutches, or a brace to aid mobility;
- (3) Who is restricted by a lung disease to such an extent that the person’s forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the person’s arterial oxygen tension (PO₂) is less than 60 mm/hg on room air at rest;
- (4) Who has a cardiac condition to the extent that the person’s functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- (5) Who has a diagnosed disease or disorder, including a severe arthritic, neurological, or orthopedic impairment, which creates a severe mobility limitation.

§291- Issuance of placard. Each county may issue one distinguishing placard to each disabled person who so requests and presents a certificate of

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disability. The placard shall be designed, fabricated, and sold at cost to the counties by the department of transportation. The county may charge a fee to cover its costs.

§291- Nontransferability; penalty. The placard shall not be used by anyone other than the disabled person to whom it is issued unless it is being used in connection with the transportation of a disabled person. An unauthorized person using the placard shall be guilty of a parking violation and subject to the penalties provided by law. A placard may be revoked for any unauthorized use.

§291- Display of placard. The placard shall be prominently displayed in the disabled person's vehicle so as to be visible through the front windshield.

§291- Parking privileges. Any vehicle displaying the placard issued under this part shall be permitted to park in any metered or unmetered parking space designated for the use of disabled persons in accordance with law.

§291- Rules. The department of transportation may adopt rules under chapter 91 to carry out the purposes of this part, including rules for the issuance and renewal of placards, the replacement of lost or stolen placards, and the design of the placard.”

SECTION 3. This Act shall take effect on January 1, 1985.

(Approved April 18, 1984.)