HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

H.B. NO. 2854

A BILL FOR AN ACT

RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

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

SECTION 1. Chapter 291, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"**§291- Nursing facility; eligibility.** (a) A nursing facility may be issued a special license plate under section 291-51.5, for a vehicle registered in the nursing facility's name that is used to transport persons with a disability.

(b) A nursing facility may be issued a temporary removable windshield placard under section 291-51.6, or a removable windshield placard under section 291-52, for a vehicle registered in the nursing facility's name that is used to transport persons with a disability."

SECTION 2. Section 291-51, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read:

1 ""Nursing facility" means a nursing facility licensed under
2 section 321-15.6 or 321-15.62, or any other facility that
3 provides residential care for persons with a disability."
4 2. By amending the definitions of "removable windshield
5 placard" and "temporary removable windshield placard" to read:
6 ""Removable windshield placard" means a two-sided, hanger-
7 style placard issued under this part to a person with a
8 disability who presents a certificate of disability that
9 verifies that the applicant's disability is expected to last for
10 at least four years[.], or to a nursing facility for use in
11 transporting persons with a disability.
12 "Temporary removable windshield placard" means a two-sided,
13 hanger-style placard issued under this part to a person with a
14 disability who presents a certificate of disability that
15 verifies the person's disability in monthly increments, which
16 shall not exceed six months[.], or to a nursing facility for use
17 in transporting persons with a disability."
18 SECTION 3. Section 291-52.5, Hawaii Revised Statutes, is
19 amended to read as follows:
20 "**§291-52.5 Issuance of identification card.** Each issuing
21 agency shall issue one identification card at the same time it
22 issues a removable windshield placard, temporary removable

windshield placard, or special license plates to a person with a disability[~~.~~], or to a nursing facility for use in transporting persons with a disability."

SECTION 4. Section 291-57, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Any person who uses a parking space reserved for persons with disabilities who:

(1) Fails to properly display a removable windshield placard, a temporary removable windshield placard, or special license plates;

(2) Displays an invalid removable windshield placard, an invalid temporary removable windshield placard, or invalid special license plates;

(3) Uses a removable windshield placard, a temporary removable windshield placard, or special license plate that was not issued to that person, the nursing facility that is the registered owner of the vehicle, or to any passengers occupying the vehicle in the parking space; or

(4) With or without a removable windshield placard, a temporary removable windshield placard, or special license plates:

(A) Parks in an access aisle; or

(B) Obstructs the ingress or egress to a parking space reserved for a person with a disability[;], shall be guilty of a traffic infraction under chapter 291D and shall be fined not less than $250 nor more than $500 and pay any costs incurred by the court related to assessing the fine; provided that a person with a disability who has been issued a valid placard or special license plate that is currently in effect, and who has failed to display the placard or license plate while parking in a space reserved for persons with disabilities, shall pay a fine of not less than $25 nor more than $100 and any costs incurred by the court related to assessing the fine."

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

SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY: Tyler B. Berg

JAN 22 2008

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Report Title:
Disabled parking; Transportation

Description:
Makes vehicles owned and operated by nursing facilities eligible for disabled parking license plates, placards, and identification cards.