

MAR 08 2024

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CONDUCT A FEASIBILITY STUDY TO ASSESS REASONABLE
ACCOMMODATIONS FOR BEACH ACCESS FOR PERSONS WITH
DISABILITIES.

1 WHEREAS, the State is known worldwide for its beaches and
2 is committed to offering beach access to all visitors; and
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4 WHEREAS, beach access for persons with disabilities,
5 including veterans, is extremely limited, especially for those
6 in wheelchairs; and
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8 WHEREAS, although there is beach wheelchair access at
9 certain beaches in the State, they are not available at most;
10 now, therefore,
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12 BE IT RESOLVED by the Senate of the Thirty-second
13 Legislature of the State of Hawaii, Regular Session of 2024,
14 that the Department of Land and Natural Resources is requested
15 to conduct a feasibility study to assess the provision and
16 maintenance of reasonable accommodations for persons with
17 disabilities to access the shoreline of any beach that has a
18 public restroom within an ocean recreation management area; and
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20 BE IT FURTHER RESOLVED that the study is requested to
21 consider factors, including but not limited to:
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23 (1) The topography and physical characteristics of each
24 beach transit corridor;

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26 (2) The county that maintains each beach transit corridor;

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28 (3) Reasonable accommodations that comply with 28 C.F.R.
29 parts 35 and 36 and chapter 489, Hawaii Revised
30 Statutes; and
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32 (4) Administrative rules necessary for the provision and
33 maintenance of reasonable accommodations pursuant to
34 paragraph (3); and



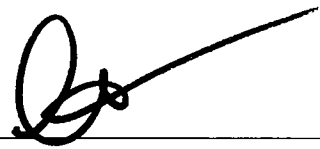
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BE IT FURTHER RESOLVED that the Department of Land and Natural Resources is requested to submit a report on the feasibility study twenty days prior to the convening of the Regular Session of 2025; and

BE IT FURTHER RESOLVED that for the purposes of this Resolution:

- (1) "Beach transit corridor" has the same meaning as defined in section 115-5(a), Hawaii Revised Statutes;
- (2) "Disability" has the same meaning as defined section 489-2, Hawaii Revised Statutes; and
- (3) "Ocean Recreation Management Area" means all ocean waters and navigable streams within certain boundaries designated by the Department pursuant to chapter 200, Hawaii Revised Statutes; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources.

OFFERED BY:  _____