

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO PARKING.

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

1           SECTION 1. The purpose of this Act is to improve air  
2 quality and reduce traffic congestion by requiring employers of  
3 fifty or more employees to provide cash allowances in lieu of  
4 employer subsidized parking to encourage employees to find  
5 alternative means of commuting to work, such as public  
6 transport, carpooling, bicycling, or walking.

7           SECTION 2. Chapter 378, Hawaii Revised Statutes, is  
8 amended by adding a new part to be appropriately designated and  
9 to read as follows:

10                           **"PART       .    PARKING CASH-OUT PROGRAM**

11           **§378-       Parking cash-out program.** (a) Each employer of  
12 fifty persons or more who provides a parking subsidy to  
13 employees shall offer a parking cash-out program. The parking  
14 cash-out program shall be an employer-funded program under which  
15 an employer offers to provide a cash allowance to an employee  
16 equivalent to the parking subsidy that the employer would  
17 otherwise pay to provide the employee with a parking space.



1           (b) A parking cash-out program may include a requirement  
2 that employee participants certify that they will comply with  
3 guidelines established by the employer designed to avoid  
4 neighborhood parking problems; provided that the guidelines  
5 include a provision that states employees will no longer be  
6 eligible for the parking cash-out program if they do not comply  
7 with the guidelines.

8           (c) This section shall not apply to any employer who, on  
9 or before January 1,           , has leased employee parking, until  
10 the expiration of that lease or unless the lease permits the  
11 employer to reduce, without penalty, the number of parking  
12 spaces subject to the lease.

13           (d) The director shall adopt rules pursuant to chapter 91  
14 to implement this section. The rules shall include but not be  
15 limited to the following:

- 16           (1) Penalties or other mechanisms to ensure that an  
17 employer is in compliance with this section; and  
18           (2) Procedures for providing notice to employers that are  
19 in violation of this section and for appeal by the  
20 employer of any penalty imposed.



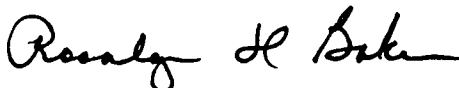

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1           (e) For the purposes of this section, "parking subsidy"  
2 means the difference between the out-of-pocket amount paid by an  
3 employer on a regular basis in order to secure the availability  
4 of an employee parking space not owned by the employer and the  
5 price, if any, charged to an employee for use of that space."

6           SECTION 3. This Act shall take effect on July 1, 2020.

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INTRODUCED BY: 



# S.B. NO. 2213

**Report Title:**

Air Quality; Traffic Congestion; Parking Cash-out Program;  
Parking Subsidy

**Description:**

Requires employers of fifty persons or more who provide a parking subsidy to employees to offer a parking cash-out program.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

