



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

REVISED AGENDA

Disability and Communication Access Board General Meeting

Location: Kamamalu Building
1010 Richard Street, Conference Room 111A
Date: January 18, 2018
Time: 11:00 a.m. to 1:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Approval of Meeting Minutes of November 9, 2017
- IV. Executive Director's Report
 - Office Move
 - Budget
 - Personnel
- V. Old Business
 - A. ADA Education and Reform Act - Update
 - B. State and County Motor Vehicle Weight Tax and Lift-Equipped Non-Commercial Vehicles – Update
 - C. General Excise Tax on Vehicles Modified for Use by a Person with a Disability - Update
 - D. ADA Coordination Update
- VI. New Business
 - A. Ride Hailing Vehicles at the Honolulu International Airport (refer to staff summary)
 - B. Handi-Van Fare Changes (refer to staff summary)
- VII. Committee Reports
 - A. Executive Committee (refer to minutes of November 9, 2017)
 - Budget for FY 2017-2018

- B. Legislative Committee (No report)
- C. Standing Committee on Communication Access
 - Hawaii Quality Assurance System – Update
 - ASL Interpreter Continuing Education Unit Workshops
 - Hawaii Administrative Rules, Title 11, Chapter 218, “Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind”
 - SCR 32 Working Group on American Sign Language (ASL) Interpreter Regulations - Update
 - 2018 Legislation on Open Captioning of Movies
 - Interpreter Mentoring
 - Deaf Student Rights
 - Other Communication Activities from the Plan of Action
- D. Standing Committee on Facility Access
 - Document Reviews – Update
 - Disability Access Conference
 - Employee Accessible Stalls
 - Repaving and Curb Ramps
 - Other Facility Access Activities from the Plan of Action
- E. Standing Committee on Parking
 - Legislative Informational Briefing on Parking Program Eligibility
 - Parking Program Changes (Application Form, User Guide) and Statistics – Update
 - 2018 Legislation on Parking
 - Public Education Outreach Efforts – Update
 - Letter to Medical Centers
 - Medical Certification for Parking Permit Renewals
 - Other Parking Activities from the Plan of Action
- F. Special Parent Information Network
 - Update of Activities for Informational Purposes Only

VIII. Open Forum

IX. Next Meeting: March 15, 2018

X. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact (808) 586-8121 (voice) or email at dcab@doh.hawaii.gov by January 12, 2018.



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MINUTES

Disability and Communication Access Board General Meeting

Location: Kamamalu Building
1010 Richard Street, Conference Room 111A
Date: January 18, 2018
Time: 11:00 a.m. to 1:00 p.m.

PRESENT: Bill Bow, Chairperson; Monty Anderson-Nitahara, Pauline Aughe, Rosanna Daniel-Kanetake, Nikki Kepoo, Marie Kimmey, Summer Kozai, Michael Okamoto, Misella Tomita, Bryant Yabui, Board Members; Francine Wai, Debbie Jackson, Kristine Pagano, Kirby Shaw, Bryan Mick, Colin Whited, Staff

ABSENT: Ed Chevy, Phyllis Meighen, Landa Phelan, Board Members

GUEST: Puanani McBride Furtado

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Kim Duncan

- I. The meeting was called to order at 11:20 a.m. by Chairperson Bill Bow.
- II. The November 9, 2017 meeting minutes were approved as circulated (M/S/P Kimmey/Daniel-Kanetake; Abstain: Okamoto, Tomita).
- III. Executive Director's Report

Francine Wai reported that the office move will be completed with some adjustments to the modular system panels, to occur tomorrow, and the installation of a monitor in the conference room for presentations as well as teleconference connections. The latter should occur prior to the next Board meeting.

With respect to the supplemental budget, the budget of the Department of Health, including DCAB has been heard in the money committees of both the House and the Senate. Our request for one specially-funded Facility Access Specialist is in the budget. Staff will continue to respond to questions from the budget committee analysts on our request and overall budget. We do not expect to hear a decision until the very end of the legislative session. With respect to this year's budget, the Administration is considering the release of some of the restrictions.

With respect to personnel, Francine Wai announced Mylynne Simon has filled the Facility Access Office Assistant. Mylynne Simon was filling in on an interim basis during the maternity leave of the prior occupant. Francine Wai also announced that the position of Facility Access Support Specialist has been redescribed to a Facility Access Specialist I since the creation of the Facility Access Office Assistant position. The Facility Access Specialist I position is currently filled by Laurie Palenske. We expect approval of the new Program Support Technician position for the parking program at any time but in the meantime we are recruiting with an announcement of the position on our web site.

Francine Wai also announced that all our required Annual Reports (our overall Annual Report, Hawaii Revised Statutes §103-50 Annual Report, and Parking Annual Report) have been completed.

IV. Old Business

A. ADA Education and Reform Act, HR 620 – Update

Debbie Jackson stated that the last action for this measure was on September 7, 2017. It was heard for consideration and mark-up by the House Committee on Judiciary. According to Representative Hanabusa's office, there were five amendments suggested for the bill and one was withdrawn. The Committee voted 15-9 to pass the bill to the House floor for consideration. Debbie Jackson noted that DCAB wrote to our four Congressional delegates and received one response from Representative Hanabusa indicating her opposition to the proposed bill. Debbie Jackson read Representative Hanabusa's reply to Chairperson Bill Bow. No further action is needed at this time.

B. State and County Motor Vehicle Weight Tax and Lift-Equipped Non-Commercial Vehicles – Update

Bryan Mick reported that staff met with Senator Brickwood Galuteria to see if he was willing to introduce this bill since DCAB would have to wait until next session to request the Governor include it as part of the Administrative package. The Senator agreed to do so and has asked for a formal draft to be prepared by the Senate Majority Research Office. This bill would amend the definition of vehicle net weight to exclude modifications made for accessibility purposes. That weight is used to calculate the annual motor vehicle weight tax. The counties also impose an annual vehicle weight tax, therefore DCAB approached City Councilmember Ikaka Anderson to introduce a bill at the County level. He was willing to do so pending a review by the City's Corporation Counsel. The county motor vehicle administrators, who recently met with DCAB staff on the parking program, expressed some reservations about how this would be implemented, if passed.

C. General Excise Tax on Vehicles Modified for Use by a Person with a Disability – Update

Bryan Mick reported that Senator Galuteria also agreed to introduce a bill that would establish an income tax credit for those individuals who purchase or retrofit a personal vehicle to be accessible, such as a lift or hand controls. The credit would be \$8,000 for installing a lift or ramp and \$5,000 for a fully accessible vehicle. The county motor vehicle administrators suggested that instead of providing a motor vehicle weight tax exemption, the income tax credit be increased in recognition of the future weight tax the vehicle owner will incur. This would provide financial relief to the person up front rather than spreading it over the life of the vehicle.

D. ADA Coordination Update

Debbie Jackson referred members to the staff summary that was mailed to all members. She highlighted two portions of the summary report. The first was the DCAB response to the Hawaii Emergency Management Agency (HI-EMA) in terms of providing auxiliary aids and or accommodations to individuals who wish to attend their public information sessions. At first, no notice was provided on the flyers. Then when notices were provided, the contact for requesting the accommodation was not HI-EMA but the contact at the site of the meeting. DCAB informed HI-EMA that the responsibility for the accommodation lies with the entity that is sponsoring the program, in this instance HI-EMA. Secondly, she drew attention to item 11, which noted that the Department of Justice (DOJ) has suspended all pending rulemaking on the ADA, consistent with the current Administration's efforts to reduce rulemaking. In addition, many outdated guidance materials were removed from the DOJ web site.

V. New Business

A. Ride Hailing Vehicles at the Honolulu International Airport

Kirby Shaw referred members to the staff summary that was mailed to all members. In the summary, he noted that the State Department of Transportation (HDOT), specifically the Airports Division, has entered into a pilot project with Uber and Lyft to permit pickups at the airport. However, there is no current requirement for an accessible vehicle to be hailed by a passenger with a disability. The Board voted to send a letter to HDOT to make any extension of the pilot project or any future agreement to allow ride hailing companies to pick up passengers at any State airport require that they provide accessible transportation service to the same extent HDOT requires traditional taxi companies to provide accessible service (M/S/P Aughe/Anderson-Nitahara).

B. Handi-Van Fare Changes

Kirby Shaw referred members to the staff summary that was mailed to all members. The Board entered into a very lengthy discussion on the Department of Transportation Services (DTS) proposal to the Rate Commission to raise the rate for a Handi-Van ride from the current \$2.00 to \$4.00 over an undetermined period of time. The Board acknowledged that the costs of Handi-Van are trending upwards over time and have not been raised for over a decade. Hence, they were not fundamentally opposed to an increase in fares. However, they expressed strong concern that the stated purpose of the fare increase was to reduce ridership and they did not believe that a model of using price to drive down demand was appropriate. Monty Anderson-Nitahara indicated that DTS is forgetting who their target population is and that traditional supply and demand price setting is not appropriate. Bryant Yabui indicated that if compliance with the ADA and improved service (i.e., improved maintenance to reduce the number of vehicles out of service, decrease trip length) is the goal, then utilizing other tools should be considered to make the service a quality service. The Board suggested that other options of utilizing transportation modes such as the taxis or contracts with the nonprofit agencies, implementing a sliding fee structure based upon income to reduce the impact on those with a fixed income should also be explored to meet ADA compliance requirements. Thus, the Board was uncomfortable in supporting the rider fee increase for the stated purpose of driving down demand. Given that no bill has yet to be introduced, the Board voted to oppose a fee increase solely for the purpose of driving down demand and recommended that DTS explore other options for ADA compliance (M/S/P Kepoo/Yabui). The Board asked staff to monitor the issue and to bring the issue back to the Board once a bill and proposed rate structure is outlined.

Members asked if they could receive the DTS report to the Rate Commission and staff indicated that they would send a link with the report to all the members.

VI. Committee Reports

A. Executive Committee

Chairperson Bill Bow referred members to the minutes of November 9, 2017 in which the Executive Committee discussed the expenditure plan for fiscal year 2017-2018 with the restrictions from the Department of Budget and Finance. The minutes and the expenditure plan were ratified (M/S/P Kimmey/Okamoto).

B. Legislative Committee

A written report from staff was mailed to all members. No oral report was presented.

C. Standing Committee on Communication Access

Chairperson Misella Tomita reported that the Standing Committee on Communication Access met twice since the last full Board meeting.

With respect to the Hawaii Quality Assurance System (HQAS) there are currently thirty interpreters enrolled in the HQAS Continuing Education Program (CEP). A total of ten interpreters were granted an extension to complete their Continuing Education Units (CEU) for the cycle that ended on December 31, 2017 until the end of March 2018. On January 13, DCAB hosted a CEU workshop entitled, "Vocabulary of the Legislative and Budget Process." This workshop assisted American Sign Language (ASL) interpreters in understanding the vocabulary of the legislative and budget process. Interpreters who regularly accept legislative assignments or who may have declined assignments because of unfamiliarity with the terminology were the target audience. Staff is currently working with a company called Hand Ninjas to finalize the date of its DCAB-sponsored CEU workshop. It will be scheduled for some time in March 2018.

The Committee is continuing to work on the administrative rules. The Committee has had active input from the community, especially interpreters. A final, clean copy of the proposed rules has been made available to the public and is posted on DCAB's web site. Comments will continue to be accepted until January 31, 2018. After that, comments will be reviewed and discussed, and then the Committee will ask for a full Board vote to proceed with formal rulemaking.

The Senate Concurrent Resolution (SCR) 32 Working Group, which was convened to examine the need for regulation of sign language interpreters and sign language interpreter referral agencies, held two meetings toward the end of 2017. As previously reported, there was no money given with SCR 32, which made the scope of the resolution too large given limited the timeframe and lack of staffing. The Working Group's focus has been on identifying concerns or challenges that the community has encountered relating to the provision of interpreter services. The next focus is to work with subgroups who will concentrate on reaching out to specific stakeholders.

The DCAB Executive Committee set aside an extra \$2,000 in the budget year for "interpreter improvement." The Standing Committee on Communication Access passed a motion to use the \$2,000 to pursue a Memorandum of Agreement to support a mentoring 'program' in 2018 with an emphasis for HQAS II and III level interpreters as mentees. Since then, DCAB has worked with Kapiolani Community College's ASL/English Interpreter Education Program and Isle Interpret to develop a pilot project proposal. The amount indicated in the proposal is higher than what DCAB and the Committee budgeted, so staff cannot recommend approval until more discussion is held.

DCAB and the Hawaii Civil Rights Commission finalized the proposed bill for open captioning at movie theaters. The bill is included in the Governor's Administrative Package for the current legislative session. DCAB contracted with the University of Hawaii Comprehensive Service Center to produce a short, informational video on open captioning. This video can be viewed on DCAB's web site.

Finally, DCAB worked with the Honolulu Police Department (HPD) and the City and County of Honolulu as HPD finalized updating its Deaf Awareness Policy and Police Communication Cards. At this point, the main question is how can DCAB help with the implementation of the policy, card, or upcoming training. HPD has also indicated that they are willing to work with police departments on the Neighbor Islands to implement the use of a similar card.

D. Standing Committee on Facility Access

Committee Chairperson Michael Okamoto reported for the Committee, which met immediately prior to the Board meeting. He reported that for the second quarter, the Facility Access Unit reviewed two hundred ninety six projects and income was on track. Nineteen projects not submitted were queried, of which eighteen responded, for a ninety-five percent response rate. He reported that the Disability Access Conference is scheduled for May 10, 2018 at the Ala Moana Hotel. The Committee discussed and finalized a recommendation that will be submitted to the Standing Committee on Parking regarding the marking and signage requirements for employee only accessible parking stalls under our DCAB Administrative Rules, Title 11, Chapter 219. Finally, the Committee discussed what types of roadway projects would trigger document review comments to expand the scope to include curb ramps.

E. Standing Committee on Parking

Chairperson Pauline Aughe reported that Senator Josh Green did not take up DCAB's offer to provide an informational briefing on the parking program, with an emphasis on DCAB's reasoning for opposing expanding eligibility for a disability parking permit to include people who are blind or with low vision. At today's meeting, the Committee invited both proponents and opponents of expanding the criteria to participate to hear their positions and discuss the matter. After hearing from individuals both in favor and opposed to expanding the eligibility criteria, the Committee voted to continue its opposition to expanding the eligibility criteria to individuals who are blind or with low vision. The Board reaffirmed that position (M/S/P Aughe/Kimmey).

The Committee reviewed operational details. Revised parking permit application forms were printed and distributed to the counties. The revisions clarified the meaning of qualifying conditions to help physicians and Advanced Practice Registered Nurses (APRN) to properly certify or

deny applicants. The User Guide was also revised and distributed to the counties. The Guide contains information on how to properly use a parking permit and are included with every issued permit. From October 1 to December 31, 2017, 6,687 placards were issued statewide. 5,159 were long term, and 1,537 were temporary. Of the long term, 2,153 were renewals and therefore processed by DCAB. The renewal rates have held steady at around fifty-five percent even though DCAB no longer notifies permittees of pending expirations.

The confiscation and parking meter fee exemption bills carried over from the last legislative session and DCAB will seek their passage this session. The confiscation bill makes it illegal to offer to sell or buy a permit, and clarifies that law enforcement can confiscate a permit whenever it is used illegally or when it is invalid or expired. The parking meter fee exemption bill would restrict the exemption to only permittees who have a driver's licenses and cannot reach or operate a parking meter because of disability.

With respect to public education and outreach, DCAB revised its parking warning flyer. It can be used by places that monitor their accessible parking but cannot issue citations, such as libraries and shopping malls. Staff sent a letter with a flyer and an offer to conduct training to the major shopping centers statewide. Staff is in the process of reaching out to major medical centers to request their assistance in educating physicians and APRN's on the important role they play in the certification process.

The Committee had further discussion on whether medical recertification is necessary every six years for all persons with long term disabilities, and whether to require only a periodic renewal for administrative purposes. After discussion, the Committee agreed to maintain the requirement for recertification upon renewal.

F. Special Parent Information Network

In the absence of liaison Phyllis Meighen, Francine Wai indicated that a written report would be attached to the minutes. She announced, however, that the Annual SPIN Conference is on April 21, 2018 with the theme "SPIN IT TO WIN IT" with a theme of games.

VII. Open Forum

Francine Wai mentioned that staff has contacted the Office of the Governor regarding the lack of communication access on the emergency alerts on Saturday, January 13, 2018. She indicated that this issue might be placed on the next agenda.

VIII. The next meeting will be on March 15, 2018 at the DCAB Office

IX. The meeting was adjourned at 1:05 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

A handwritten signature in cursive script that reads "Francine Wai".

FRANCINE WAI



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DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING ADA Coordination Update January 18, 2018

Since the last Board meeting on November 9, 2017, ADA Coordination activities included:

1. Technical assistance (TA) relating to programs and services provided by all DCAB staff (November and December 2017). Examples of significant TA to the following State ADA Coordinators or Departments are:

Situation/Department/Agency

Issue

Office of Planning

Planning to update policy for their website. How do they ensure that documents are accessible to publish on their website?

Explained there is a current Comptroller's Memo addressing the issue of website accessibility. Also provided suggestions regarding making word documents accessible and formatting it correctly, then saving it to a pdf. All pictures and graphics need alt text, and should test it with an accessibility tester. Also, establishing a group of people with disabilities to test the documents prior to loading onto the website is recommended.

Libraries

Does the state have an overall nondiscrimination policy?

Reviewed documents in the original Libraries Self-Evaluation and Transition Plan and the State website and did not find one. Referred Libraries to the Governor's Memorandum 12-06 that is still in place regarding the State's overall ADA policy.

Transportation

Working on an accessible fillable form for people to register to vote when they obtain a driver's license. They are working with Office of Elections on this project. How do they make an accessible form to publish online?

Referred DOT ADA Coordinator to the University of Hawaii, Center on Disability Studies, Media Center for technical assistance.

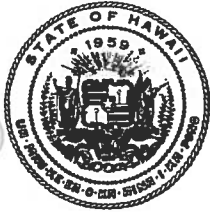
Hawaii Emergency
Management Agency
(HI-EMA)

Currently conducting public meetings on Oahu to explain about Preparedness for a Ballistic Missile Attack. Flyers sent to DCAB.

Upon review, DCAB staff noticed there was no information provided on the flyer for people with disabilities to request an auxiliary aid or service. Provided technical assistance to HI EMA that a phrase needs to be added to all their flyers to the public. This is a requirement under ADA Title II. Set up a meeting in January to review Title II requirements under the ADA.

2. Hosted six ADA webinars:
 - Webinars sponsored by the National ADA Network on:
 - “Innovative Ideas for Ensuring Your Emergency Operations Inclusive for the Whole Community”
 - “An Update on ADA Drive-by Lawsuits”
 - “PDF Accessibility: Regulations, Risks and Strategies”
 - “Service Animals and the ADA: Exploring Common Issues and Scenarios”
 - Two webinars sponsored by the U.S. Access Board on:
 - “Harmonization between the ADA Standards and the IBC/ANSI A117”
 - “Accessible Alterations (A Refresher)”
3. Maintained current information on the ADA Coordinators secured web site and DCAB’s web site by ensuring a current list of State ADA Coordinators was available.
4. Attended a County ADA Coordinators meeting on December 1, 2018 with all the County ADA Coordinators.
5. Staffed a State ADA Coordinators Orientation meeting, and then a State ADA Coordinators meeting. Meeting included a speaker on the “Unidescription Project” for the U.S Park Service on audio description of printed material. This was a preview of the upcoming DCAB sponsored workshop on Audio Description for ADA Coordinators.
6. Conducted one training on “Service Animals in the Workplace” for the University of Hawaii Community Colleges management staff.
7. Provided technical assistance to the Aloha Stadium, HI-EMA, Legislature-Public Access Room, Libraries, Office of Planning, Departments of Education, Land and Natural Resources, Judiciary, Transportation, University of Hawaii at Manoa, and the County of Hawaii about various issues related to access to programs and services.
8. Provided technical assistance to the Departments of the Attorney General, Education, Health, Human Services, Land and Natural Resources, Public Safety, Transportation, Hawaii Housing Finance Development Corporation (HHFDC), Office of Elections, and University of Hawaii at Manoa about reasonable accommodations for applicants/employees with disabilities.
9. Provided technical assistance to one hundred forty callers in November and December 2017 on issues related to the ADA.
10. Drafted and sent letters to the Hawaii Congressional Delegation opposing H.R. 620 Relating to the ADA Education and Reform Act, per the Board’s position. Received a response from Congresswoman Colleen Hanabusa.
11. Followed up on the DOJ’s rescinding of all pending Advanced Notice of Proposed Rulemaking (ANPRMs) relating to web site accessibility as well as equipment and furniture accessibility under ADA Titles II and III. DOJ will review whether specific technical standards are necessary and appropriate to assist covered entities in complying with the ADA. At the end of December, DOJ also removed several obsolete Technical Assistance guidances from their web site.

Any questions regarding ADA Coordination activities should be directed to Debbie Jackson at 586-8121 or debra.jackson@doh.hawaii.gov.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING January 18, 2018

TOPIC: Hawaii Department of Transportation's Pilot Project with Uber and Lyft

SUMMARY:

On December 1, 2017, the Hawaii Department of Transportation (HDOT) announced the immediate launch of a three-month pilot project to allow ride hailing companies, Uber and Lyft, to pick up passengers at Honolulu International Airport (Daniel K. Inouye International Airport).

ANALYSIS:

DCAB asked HDOT whether the pilot project required the companies to provide accessible transportation service. HDOT responded that there is no requirement to require Uber and Lyft to make accessible vehicles available as part of the pilot project. This differs from the arrangement HDOT has with traditional taxi companies that are granted licenses to pick up passengers at the airport. That is, traditional taxi companies are "required to take all steps necessary to ensure that an adequate supply of wheelchair-accessible, special assistance taxis are available at all times on or at the Airport, if requested, to provide taxi service to disabled persons and/or those individuals in need of special assistance."

This raises the larger question concerning whether ride hailing companies are covered entities under title III of the Americans with Disabilities Act (ADA). Uber and Lyft have maintained in various court challenges that they do not "engage in the business of transporting people", that they are "simply mobile-based ridesharing platforms that connect drivers and riders", and therefore they are not required to provide accessible transportation under the ADA. However, both have launched a service in select cities that allow users to request an accessible vehicle (UberWAV and Lyft Access Mode). Honolulu is not one of these cities. On the other hand, Uber and the National Federation of the Blind entered a settlement agreement in 2016 (U.S. District Court for the Northern District of California) that requires Uber drivers to agree to pick-up passengers with service animals (guide dogs) or forgo the opportunity to carry all Uber passengers. While the settlement agreement applies nationwide, it does not establish Uber as a covered entity under the ADA.

STAFF RECOMMENDATION:

Staff recommends that DCAB formally request that HDOT make any extension of the pilot project or any future agreement to allow ride hailing companies to pick up passengers at any State airport require that they provide accessible transportation service to the same extent HDOT requires traditional taxi companies to provide accessible service.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING January 18, 2018

TOPIC: City and County of Honolulu Proposed Rates for Paratransit Service (TheHandi-Van)

SUMMARY:

On January 8, 2018, the Department of Transportation Services (DTS), City and County of Honolulu, testified to the newly formed Rate Commission that it would seek City Council approval to raise the cost for a one-way trip on the City's paratransit system (TheHandi-Van). The primary reason for the fare increase is to reduce ridership demand for TheHandi-Van, which is struggling to provide on time service, defined as the vehicle arriving no later than thirty minutes after the scheduled pick up time. DTS proposed to raise the cost of a one-way trip on TheHandi-Van from the current \$2.00 to \$3.00, then to \$3.50, and finally to \$4.00. DTS did not offer a proposed target date for each increase. However, DTS reversed its earlier position of support for tiered rates that would include a lower fare for low income riders.

ANALYSIS:

TheHandi-Van's current per trip fare of \$2.00 is lower than the \$2.75 per trip fare on the City's fixed route bus system (TheBus). This difference disincentivizes TheHandi-Van users from catching TheBus. However, unlike TheHandi-Van, TheBus has several fare options, including monthly passes, disability monthly and annual passes, senior monthly and annual passes, a discounted Medicare Card fare, and a discounted monthly pass for low income riders. These options offer TheBus riders ways to lower the cost of riding TheBus by spreading the cost over multiple trips.

The City has not raised TheHandi-Van fare for over a decade and the demand on the system must be reduced to provide service within the thirty minute window. In the paratransit growth management study commissioned by DTS, it was proposed that raising fares was the most reliable way to reduce rider demand on the system. However, raising the per trip fare to \$4.00 will impose a hardship on many users. In addition, there is a real inequity for TheHandi-Van users who are subject to subscription/reservation system that is constrained by a limited capacity while TheBus riders can catch a bus at any time and take advantage of a variety of fare rates. The City is aware that the ADA allows (but does not require) a paratransit provider to charge up to twice the cost of a fixed route ride.

STAFF RECOMMENDATION:

No bill has been introduced as yet. When one is introduced, staff recommends that DCAB support an increase in TheHandi-Van rate to not more than \$2.75 per trip and that future increases are made only to match any increase in TheBus fares. TheHandi-Van fares should not be less than the cost of a bus ride, but because there are no monthly or annual passes, a \$4.00 fare would be problematic for low income users of TheHandi-Van. Therefore, DCAB should urge DTS to study how low income users can be provided financial relief. In addition, staff recommends that DCAB urge DTS to adopt alternative service modes to reduce paratransit costs, such as implementing a pilot program for taxi vouchers and increasing the use of user agency provided trips.



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DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING January 18, 2018

Legislative Report

The 2018 Legislative session is the second year of the 29th Legislature. The opening day for the Legislative session was yesterday, January 17, 2018. The bills introduced during the 2017 sessions are still alive, and the House and Senate will be introducing additional measures beginning January 17, 2018. The deadline for bill introduction is January 24, 2018.

The Legislative Committee will begin meeting on January 24, 2018 to begin taking positions on bills. The 2018 Governor's Administrative Package includes a bill Relating to Movie Theaters which will amend Section 489-9 to remove the sunset date, restore two showings of open captioned movies at theaters and remove the option of providing lightweight eyewear instead of open captioning.

DCAB initiated bills from the 2017 session that we continue to support are the parking bills that were part of the 2017 Governor's Administrative Package:

SB 974, SD2 – Relating to Parking for Disabled Persons. Limits the exemption from parking meter fees to drivers with a disability who are unable to operate a parking meter because of the driver's disability and who display a distinguishing parking permit or decal that so indicates. Clarifies time limits applicable to the exemption. SB 974, SD2 crossed over to the House and was not scheduled for hearings in the subject matter committees. It can be resurrected during the 2018 Legislative session.

SB 975, SD1, HD1 – Relating to Parking for Disabled Persons. Clarifies the authority of law enforcement officers or commissioned volunteer enforcement officers to confiscate disability parking permits that are used unlawfully. Specifies that the sale or purchase of a disability parking permit is a misdemeanor. SB 975, SD1, HD1 was not scheduled for hearing in the House Committee on Judiciary. This bill can also be resurrected during the 2018 Legislative session.

For information about DCAB's position or the content of any bill, contact Debbie Jackson at 586-8121 or by e-mail to debbra.jackson@doh.hawaii.gov.

SPIN Report for January 2018

Center on Disability Studies (CDS) Community Advisory Council

SPIN staff Susan Rocco has been a long-time member of the CDS Community Advisory Council (CAC). Under the direction of new Director Pat Morrissey, the CAC will be playing a more proactive role this calendar year in helping CDS plan, promote, and participate in three transition institutes that will take the place of the traditional Pac Rim International Conference. The three transition points of the institutes for individuals with disabilities and their networks of support will be on early childhood transitions to school, high school to employment, and aging caregiver planning and support.

Significant Disproportionality in Special Education

Amanda Kaahanui and Susan Rocco, as part of their duties in staffing the Special Education Advisory Council, will be helping to advise the Department of Education in setting new parameters and procedures for determining whether there is significant disproportionality related to ethnicity and race in 1) identifying students as eligible for special education under six disability categories, 2) placing students with disabilities in particular educational settings, and 3) disciplining students with disabilities.

Coalition for Children with Disabilities (former Coalition for Children with Special Needs)

SPIN assists the Special Education Advisory Council (SEAC) in drafting testimonies for legislation affecting children with disabilities and their families and participating in a coalition of eight other family advocacy organizations (including the Developmental Disabilities Council) to create broad based support for legislative initiatives. The Coalition changed its name recently in keeping with calls from self-advocacy groups to replace the term "special needs" with the word "disability" as a means of reducing stigma. Coalition members attended the January 18th combined press conference for the Hawaii Childrens' Action Network and the Legislature's Keiki Caucus. Current initiatives include more public preschool classrooms, education on child sexual abuse prevention and Family Leave.