



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 204-2466 (VP)

MINUTES

Standing Committee on Parking Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118

Date: July 7, 2025

Time: 12:00 p.m.

PRESENT: Violet Horvath, Chairperson pro tem; Dayne Greene, Gerald Ohta, Charlotte Townsend, Board Members; Elizabeth Delovio, Bryan Mick, Kristine Pagano, Staff

PUBLIC

PARTICIPANTS: Greg Au, Peter Fritz, Donald Sakamoto

SIGN LANGUAGE

INTERPRETERS: Carrie Kaufman and Laura Safranski

- I. Chairperson pro tem Violet Horvath called the meeting to order at 12:05 p.m.
- II. Committee members, staff, and the public participants introduced themselves.
- III. Public Testimonies Submitted - Review
 - A. Bryan Mick reported he received a phone call from a permittee who has a temporary disability placard and drives an open-air vehicle. He was concerned the placard would be stolen out of his vehicle and asked if there were any other options. Permittees with temporary disabilities do not qualify for a special license plate. There are no other options. The Committee asked staff to research if other states have addressed this situation.
 - B. Bryan Mick reviewed a Hawaii News Now television segment about a permittee receiving a citation for partially parking within an access aisle. Access aisles serve multiple spaces and are part of the accessible pedestrian route, so the space is legally required to be unobstructed.

The Americans with Disabilities Act Accessibility Guidelines (ADAAG) requires access aisles be unobstructed, and state law provides for a citation and a fine if a vehicle parks in an access aisle. The ADAAG also allows an access aisle to be on either side of an accessible parking space, unless the space is angled in which case it must be on the passenger side because side ramps and lifts usually deploy from the passenger side.

It is not legal to back a vehicle into an angled parking space, therefore a disabled driver may not be able to use an angled accessible parking space's access aisle. When a permittee receives a citation, they have an option to "admit but explain mitigating circumstances" to the court. It is the judge's discretion to waive or reduce the fine. No state requires access aisles on

both sides of an accessible parking space; however, the State of New York requires all access aisles to be van accessible, which means they are eight feet wide.

Testimony: Greg Au explained that he was the permittee who was cited. He and his wife both use the access aisle to exit their vehicle. He wants access aisles required on both sides of an accessible parking space. Bryan Mick explained that the ADAAG could be amended to require that, however it is unlikely to happen anytime soon. The best approach with better chances of success would be contacting the Legislature and/or county councils requiring access aisle on both sides of an accessible parking space. Greg Au also commented that he thinks the penalty for partially parking in an access aisle should be repealed in State law.

The Committee asked that this topic be placed on their next agenda for further discussion.

IV. The Committee approved the May 12, 2025 meeting minutes as circulated (M/S/P Horvath/Townsend).

V. New Business

A. Review of the Proposed Parking Plan of Action Fiscal Year (FY) 2025-2026 including any proposed revisions to goals and objectives for the Parking Program.

The Committee deleted objective 8.3.8 which would introduce legislation to suspend the driver's license of anyone caught using a deceased persons parking placard.

The Committee inserted new objective 8.3.8 to introduce legislation amending the meter fee exemption from "2.5 hours or the maximum time the meter allows" to "4.5 hours." This ensures people with the extended time for the roundtrip to exit and enter their vehicle, unload and load mobility equipment, and to travel from the metered space to their destination and back. The 4.5 hours still deters employees with or without a disability to fraudulently use a Disabled Persons Parking Exemption Permit (DPPEP) to avoid paying for an off-street parking space. Staff shared that if the meter fee exemption equals a typical eight (8) hour workday, employees with or without a disability will have a financial incentive to fraudulently use a DPPEP.

The Committee inserted a new objective 8.4.4 to authorize staff to work with the counties to implement a process where the counties provide registered vehicle owner names and mailing addresses upon request. DCAB will request this when they receive reliable photographic evidence that an accessible parking space violation occurred at an ADA Titles II or III covered parking facility. Bryan Mick explained this will require a Memorandum of Agreement (MOA) amendment with the counties, and the proposed MOA amendment will be reviewed by the State Attorney General's Office and the Counties' Corporation Counsels prior to it being executed.

Testimony: Peter Fritz commented his concern with due process. Bryan Mick commented that the MOA will specify any communication with the vehicle owner and will make it clear that the violation is not a summons or citation, but purely an educational reminder.

B. Flyer for Americans with Disabilities Act (ADA) 35th Anniversary Event – Park with Aloha.

A draft of an informational flyer about the parking program was circulated. The flyer will be issued at the upcoming ADA 35th Anniversary rally on Oahu on Friday, July 25, 2025, from 9:00 a.m. – 11:00 a.m. at the State Capitol Rotunda. Similar events are planned on the Big Island, Kauai, and Maui.

C. Department of Health Social Media Reminder – Park with Aloha on the 4th of July.

Ahead of the 2024 holiday season, DCAB published via the Department of Health's social media channels a reminder for drivers and businesses. DCAB reminded people to park with aloha in accessible spaces or to not park without a valid disability permit, and for businesses to check their parking lots to ensure that their parking lots are properly designed with accessible parking spaces. A similar message was published on July 2nd with the expectation that many people would be visiting stores to buy supplies on July 3rd during the 4th of July weekend.

D. Title II entities failure to submit plans to DCAB Facility Access Unit (FAU) Review.

1. A member of the public informed DCAB about the lack of accessible parking spaces at the Aloha Stadium. DCAB learned that a portion of the Aloha Stadium's parking lot was restriped because the swap meet is moving into that section. No plans were submitted to the Facility Access Unit that reviews all state and county plans and specifications for buildings, facilities, and sites to ensure compliance with Hawaii Revised Statutes §103-50.
2. The County of Hawaii recently issued a press release about a newly constructed parking lot serving the William Charles Lunalilo Playground – "Blue Park." There were no accessible parking spaces observable in the press release's photo. DCAB had no record of this project being submitted for review. The County ADA Coordinator informed DCAB that there were no formal construction plans drawn. The County Parks Department said it was an expansion of an existing lot, and the minimum number of required accessible spaces was provided in the existing lot. However, staff determined that a person parking in this new lot would have to exit into the public right of way to reach the park, and therefore it is considered a separate parking facility. Staff also clarified to the County that any construction plans should be submitted for review and does not need to be in formal plans drawn by an architect or engineer. Staff also noticed a preexisting pedestrian path running behind the new lot and asked the County to determine if it complied with ADAAG.

VI. Open Forum

Peter Fritz commented that DCAB needs to review and update the Program and Services Policy Manual and do a better job of communicating with the State and County ADA Coordinators.

Donald Sakamoto raised a concern with the new Don Quijote store in Kapolei. The exit is located on the opposite side of the building from the entrance, but the accessible parking spaces and the HandiVan drop-off/pick up area are both near the entrance. This forces people to walk a far distance upon exiting. Although there is a security guard at the entrance, they refuse to let people exit as an accommodation. He asked HandiVan to work with Don Quijote and create a HandiVan pick up area closer to the exit.

Bryan Mick commented that the Committee packet included a graph showing the trends of various parking permits issuance for the past several years. DCAB anticipates a slowdown in the number of long term renewals starting in April 2026 and lasting about one year, coinciding with the start of COVID. This is because long-term placards are valid for six (6) years. The slow period will present an opportunity for staff to do special projects, such as processing another death letter retrieval in our efforts to reduce fraudulent use of a deceased disability permittee's placard. The Committee was interested to see if a six (6) month interval increases the return rate from the estates of deceased permittees.

VII. Next Meeting

The next meeting is scheduled for Monday, September 8, 2025, at 12:00 p.m.

VIII. Adjournment

The meeting adjourned at 1:04 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

BRYAN K. MICK