



DISABILITY AND COMMUNICATION ACCESS BOARD

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

NOTICE OF MEETING

Disability and Communication Access Board

Standing Committee on Parking Meeting

March 10, 2022

9:30 a.m. – 11:30 a.m.

AGENDA

Pursuant to Act 220, Session Laws of Hawaii 2021, and the Governor's Emergency Proclamation Related to COVID-19 (Omicron Variant) dated January 26, 2022, the Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:
<https://zoom.us/j/94417701170> and enter Meeting ID: 944 1770 1170

To join by phone

Dial 1 253 215 8782 and enter Meeting ID: 944 1770 1170

Public Testimony

Written Testimony -To ensure the public as well as its board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one the methods listed below:

- By email to: dcab@doh.hawaii.gov
- By U.S. Postal Mail:
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street,
Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

AGENDA

- I. Call to Order
- II. Introductions
- III. Statement from Public and Writtten Testimonies Submitted
- IV. Approval of Meeting Minutes of January 18, 2022
- V. Old Business
 - A. Placard Issuance Statistics – Update
Review statistics of parking permits issued.
 - B. Email Notification to Permittees of Pending Expirations – Update
Review statistics of email notifications relating to pending parking permits expirations.
 - C. Procurement of Placards and Decals – Update
Announcement of procurement of parking placards and decals.
 - D. Death Records Crossmatch – Update
Review statistics of permittees who are deceased.
 - E. Public Education Efforts
 1. Webpage for Reporting Placard or Access Aisle Abuse
Announcement of webpage to report abuse of parking permit or parking space.
 2. Webpage for Reporting Non-Design Compliant Accessible Spaces
Announcement of webpage to report design flaws of accessible parking spaces.
 - F. Legislation – Update
 1. House Bill 1448 - Relating to Traffic Fines: Authorizes the respective counties to impose and collect fines for violations of the Statewide Traffic Code, in addition to the fines imposed by the State under Chapter 291C, HRS.
 2. HB 1575/SB 2445 Relating to Physician Assistants
House Bill 1575 - Relating to Physician Assistants: Expands the scope of practice for physician assistants. Requires a sampling of medical records, rather than all medical records, to be reviewed when physician assistants prescribe controlled substances.

Senate Bill 2445 - Relating to Physician Assistants: Expands the authorized scope of practice for physician assistants.

3. HB 2153/SB3121 - Relating to Funding for Persons with Disabilities
House Bill 2153 - Relating to Funding for Parking for Disabled Persons: Creates an accessible parking special account within the disability and communication access board special fund. Increases the state vehicle registration fee by \$1, to be deposited into the accessible parking special account. Requires all costs associated with the statewide parking program for persons with disabilities to be appropriated from the accessible parking special account beginning July 1, 2023. Companion Bill: Senate Bill 3121.
4. SB 2540 - Relating to Parking for Persons with Disabilities
Senate Bill 2540 - Relating to Parking for Persons with Disabilities: Requires private businesses selling goods and services to the public, including retail malls and shopping centers, to provide a minimum of six percent of its parking spaces for persons with disabilities. Imposes a penalty for failure to comply. Convenes a task force to review expanding eligibility requirements for disability parking permits.

G. Meeting with Parking Enforcement Agencies – Update
Review of meeting with parking enforcement agencies.

VI. New Business

A. Discussion of how to reserve van accessible parking spaces for vehicles equipped with side mounted lifts or ramps.

VII. Open Forum: Public comment on issues not on the agenda for consideration for Committee’s agenda at the next meeting

VIII. Next Meeting

IX. Adjournment

If you require an auxiliary aid or service for effective communication or other accommodation to participate in the meeting, please contact Cindy Omura at (808) 586-8121 or email, dcab@doh.hawaii.gov by Monday, March 7, 2022. Requests made as early as possible will allow adequate time to fulfil your request.

Upon request, this notice is available in alternate formats.

The agenda and meeting materials for this meeting is also made available for inspection at the DCAB’s office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on the DCAB website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



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MINUTES

Standing Committee on Parking Meeting

Location: Virtual Location via Zoom
Date: March 10, 2022
Time: 9:30 a.m.

PRESENT: Summer Kozai, Chairperson; Pauline Aughe, Violet Horvath, Gerald Ohta, Charlotte Townsend, Board Members; Bryan Mick, Kristine Pagano, Staff

GUEST: Jessica Pomales

- I. Chairperson Summer Kozai called the meeting to order at 9:36 a.m.
- II. The Committee members and staff introduced themselves.
- III. Staff reported there were no public testimony.
- IV. The Committee approved the January 18, 2022, meeting minutes (M/S/P Ohta/Horvath).
- V. Old Business

A. Placard Renewal Statistics

Bryan Mick reported the first two months of the third quarter of fiscal year 2022, approximately 3,200 placards and 120 special license plates were issued. Of the placards issued, approximately 1,000 were temporary and 2,200 were long term. Of the long term placards, approximately 700 were renewals issued by DCAB. The long term placard renewal rate was sixty five percent (65%). Thirty-two (32) Disabled Paid Parking Exemption Permits (DPPEP) placards were issued.

B. Email Notification to Permittees of Pending Permit Expiration

This quarter, DCAB emailed 837 permittees notifications that their permit will expire in sixty days. DCAB also provided a link to the DCAB webpage that provides instructions on placard renewals.

C. Procurement of Placards and Decals

Staff will order and procure temporary and long term placards because of low supply. Staff would like increase the supply of placards and encumber the funds.

D. Death Records Crossmatch

DCAB's annual crossmatch process with the Department of Health's Vital Records Division identified 3,200 deceased permittees. Letters were sent to these families requesting the return of the placards. As of March 2022, forty-six percent (46%) of the placards were returned to DCAB. Families reported that five percent (5%) of the placards were destroyed or lost, and ten percent (10%) of the letters sent were returned by the post office as undeliverable.

E. Public Education Efforts

Webpage for Reporting Placard or Access Aisle Abuse

During the second quarter, only one (1) inquiry was submitted through the DCAB webpage to report abuse of a disability parking permit. Staff followed up with the permittee.

Webpage for Reporting Non-Design Compliant Accessible Parking Spaces

DCAB recently launched a new webpage on the DCAB website for the public to report accessible parking spaces that have a non-compliant design element. This will allow staff to provide technical assistance to the property owners of the parking spaces. No inquires have been received, but the existence of the webpage has not been widely publicized. Staff will contact Kokua Line for publication of the information. The parking enforcement agencies were informed and will distribute the information to their networks. Committee member Gerald Ohta suggested staff to contact the neighbor island newspapers to announce the DCAB webpage.

F. Legislation Update

House Bill 1448, Relating to Traffic Fines, as originally drafted would have allowed the counties to impose additional fines for traffic code violations. DCAB had concerns this would require different signs on accessible parking spaces to reflect different fines, however the bill was amended and applied the traffic code violations to county highways.

House Bill 1575 and Senate Bill 2445, Relating to Physician Assistants would extend the scope of practice for physician assistants to verify a person with a disability for the parking permit application. The medical community is in strong support of the two bills. DCAB would need to update the parking administrative rules, application form, and database.

G. Meeting with Parking Enforcement Agencies

Staff held a virtual meeting on February 26, 2022, with representatives from the Department of Land and Natural Resources, Department of Transportation, Honolulu Police Department, and the County of Hawaii Police Department. The County of Hawaii Police Department indicated they will restart their volunteer enforcement program. DCAB offered to assist with recruiting volunteers. The police departments indicated they preferred volunteer enforcement officers over a program that would allow private citizens to submit photos of people who should not be parking in accessible parking spaces. The police departments would support a new type of parking permit if one was created to restrict the van accessible spaces to wheelchair users.

VI. New Business

A. Discussion of how to reserve accessible parking spaces for vans with wheelchair lifts

Bryan Mick reported that since the last Committee meeting, he researched what other states have done to address the issue of how to reserve accessible parking spaces for vans with wheelchair lifts.

The State of Oregon has a different colored "wheelchair user" placard, and in parking lots above a certain size, only vehicles with this placard can park in the van accessible spaces which are designated as "wheelchair user only."

The State of Nevada requires spaces to be identified as for vehicles equipped with a side lift or ramp. However, the Henderson Police Department indicated that they do not issue citations to vehicles that do not have a lift or ramps and instead educate the driver about the use of the space.

The State of Utah introduced a bill that initially would have been very similar to Oregon's program, but due to opposition the penalty for parking in the wheelchair user space was removed. Currently the bill simply encourages those who can use a standard accessible space to do so, if one is available.

The State of Arizona proposed a bill a few years ago that did not pass.

The State of New York introduced a bill for the past five legislative sessions including this session. The bill is currently being held in committee.

Our state is not the first state to grapple with this issue.

Committee member Violet Horvath asked about a comment made by a Utah legislator who sponsored their bill and how people felt about restricting the van accessible spaces that would violate the ADA law. The Utah legislator did not agree with that perspective. Bryan Mick replied that he also did not agree with the incompletion as the eligibility for all accessible spaces is determined by each state. In theory all the spaces could be restricted for wheelchair users. It was found true that some permittees who don't use a vehicle equipped with side mounted lifts or ramps oppose this concept

because it reduces the number of accessible spaces in which they can park. Which is why other states only reserve accessible parking spaces for vans with wheelchair lifts to parking lots of a certain size or larger, that minimizes the percentage of accessible spaces with restrictions.

Bryan Mick said that he would work on a draft for the Plan of Action for fiscal year 2022-2023 regarding van accessible spaces. Bryan Mick recommends keeping the issue as broad as possible to allow for various options. Chairperson Summer Kozai asked that this be kept on the Parking Committee agenda as a standing item.

Committee member Pauline Aughe mentioned that if there are legal roadblocks, perhaps education efforts could be promoted and explain that there are quite a few permittees with disabilities who drive but are unable to hang a placard.

Bryan Mick noted how this would interact with the DPPEP and it is an open question. One would not want someone to have two different placards. So how does one make the DPPEP eligible to park in the wheelchair spaces or provide a meter fee exemption to the wheelchair user placards or have a wheelchair user version of the DPPEP. Discussion included suggestions that if the wheelchair user was indicated by a decal, it could simply be added to the existing types of placards.

Committee member Pauline Aughe said she supports an option where the vehicle is identified as having a side lift or ramp. This could be a decal on the license plate, or it could be a new type of special license plate. Bryan Mick said he would gather more information from the City and County of Honolulu Department Motor Vehicles regarding license plates.

Committee member Violet Horvath requested staff to put together for the next meeting a list of all the possible options to help guide the discussion. Bryan Mick replied that at the next meeting, there will be a guide for discussion.

Committee member Charlotte Townsend commented that she does not want to see additional barriers created for people to obtain a parking permit. The parking program has always taken the view that the eligibility is based on the individual, not the vehicle. So, this would be a shift if the eligibility is based on the vehicle specifications. She has always been reluctant to identify herself as disabled when not required, so she prefers the placard over the special license plates. Committee member Pauline Aughe responded that while she prefers to let people know she has a disability; she understands that some people are more selective about disclosing it. Maybe more than one option needs to be available.

Committee member Pauline Aughe commented that the DPPEP is probably not issued to neighbor island residents very often and asked why a placard instead of a decal or plate was chosen for the DPPEP. Bryan Mick replied that she was correct, over 90 percent of the DPPEPs were issued to people who live on Oahu. The placard was selected as the method because of other states utilize tiered parking permits and it was the preference among the enforcement agencies.

VII. Open Forum

Expansion of Eligibility Certifications

Chairperson Summer Kozai asked if there had been any developments with this issue. Bryan Mick replied that there was a bill introduced at the Legislature to form a task force and among other expansion of eligibility certifications would include autism and other developmental disabilities to qualify for a parking permit. That bill was not heard and did not pass this session

Replacement Fees

Committee member Charlotte Townsend commented that she had to replace a lost DPPEP and noticed the fee was significantly higher than for other types of parking permits. She was curious as to why and if there was any consideration to making the fee standard for all parking permit types. Bryan Mick replied that the idea of an escalating replacement fee schedule was discussed prior to the creation of the DPPEP, as that staff was aware that there were certain permittees who obtained multiple replacement placards during a six-year cycle. It is highly likely that permittees were letting other people use their placards and not actually losing the placards. The Board opted to incorporate this idea into the DPPEP since it alone provides a financial benefit. Committee member Charlotte Townsend commented that the next time the administrative rules are going to be amended, she would support adjusting the fees to be equal.

Bryan Mick commented that he forgot to mention a Senate Bill 3121, Relating to Funding for Parking for Disabled Persons which passed and is headed to the House. This would add \$1 to the annual motor vehicle registration and deposit the money into the DCAB special fund. All expenses for the parking program would be paid from the DCAB special fund.

Request for Statistics

Chairperson Summer Kozai asked staff to review the request made by Donald Sakamoto at the last full Board meeting and prepare a response for the General Board meeting.

VIII. Next Parking Committee Meeting

The next meeting is scheduled for Thursday, May 12, 2022, at 9:00 a.m.

IX. Adjournment

The meeting adjourned at 10:47 a.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,
for Kristine Pagano
BRYAN K MICK