

SUMMARY OF PROPOSED FLOOR DRAFT:

**BILL 20 (2023), CD2
RELATING TO PARKING.**

The **PROPOSED FD1** makes the following amendments:

- A. In SECTION 6 of the bill, amends ROH Section 15-30.3 by:
1. Removing from subsection (a), the CD2 provision limiting the Director of Transportation's ("Director") authority to establish, reduce, modify, or dissolve an RPZ to a five-year period following the effective date of the ordinance.
 2. Moving the provision in subsection (a)(2) that the Director may not establish more than one new RPZ each calendar year to subsection (a)(1).
 3. Providing in subsection (a)(2) that "[t]he council may amend, expand, reduce, modify, or dissolve an RPZ that was established under this subsection only by ordinance."
 4. Moving subsection (c) to new subsection (b), and providing that "[t]he director may initiate the expansion, reduction, modification, or dissolution of an RPZ established under this subsection through submission to the council of a recommendation and rationale, which will be effective upon the council's adoption of a resolution"; and re-lettering the subsequent subsections.
 5. Adding "Limitations" to the heading of re-lettered subsection (c) to read "*Limitations and criteria.*"
 6. Moving the shoreline limitations from subsection (a)(1) in the CD2 to re-lettered subsection (c)(1).
 7. Moving subsection (b)(1) to new subsection (c)(2), and amending the requirement that the Director consider specified factors in determining whether to establish, expand, reduce, or modify an RPZ to require that the specified factors be considered in any consideration of establishing, expanding, reducing, or modifying an existing RPZ.
 8. In subsection (c)(2)(H), relating to the factors for consideration in determining whether to establish a new RPZ, or to expand, reduce, or modify an existing RPZ, substituting "legal hunting" for "hunting."

9. Amending the last paragraph in new subsection (c)(2) (subsection (b)(1) in the CD2) to read as follows:

"Modification of the hours of an existing RPZ, or the expansion or reduction of the boundaries of an existing RPZ by two contiguous blocks or less may be made without the necessity of considering all of the criteria set forth in this subsection; provided that any expansion of the boundaries of an existing RPZ must be in compliance with the limitation in subdivision (1)."

10. Amending the requirement in new subsection (c)(3) (subsection (b)(2) of the CD2), that the Director consider specified factors in determining whether to dissolve an RPZ to require that the specified factors be considered in any determination of whether to dissolve an existing RPZ.

11. Amending subsection (d) to read as follows:

"The boundaries of an RPZ must be described on Schedule XXXIX, in substantially the form set forth at the end of this section as Exhibit A. Notwithstanding subsections (a) and (b), the Kalihi Valley RPZ is hereby established, to include the streets and street segments identified in Exhibit A, and will be the first RPZ to be included on Schedule XXXIX.

- (1) If the council, by resolution, establishes a new RPZ, or expands, reduces, modifies, or dissolves an existing RPZ, the director shall amend Schedule XXXIX to reflect the action of the council, and submit an updated Schedule XXXIX to the city clerk.
- (2) If the director establishes a new RPZ, or expands, reduces, modifies, or dissolves an existing RPZ, the director shall submit:
 - (A) To the council, a report that includes a summary and rationale for the action of the director, and the associated updated Schedule XXXIX; and
 - (B) To the city clerk, an updated Schedule XXXIX that reflects the action of the director."

12. Amending subsection (e) to refer to subsection (b) in the notwithstanding statement, to allow the Director to expand, reduce, modify, or dissolve the Kalihi Valley RPZ by submission to the Council and the City Clerk of a revised Schedule XXXIX rather than requiring the Director to submit a recommendation and reasons therefor, with the change being effective upon the Council's adoption of a resolution as otherwise required by

subsection (b).

B. In SECTION 12:

1. Deletes the third sentence relating to the requirement that the Revisor of Ordinances substitute a date for the phrase "five years after the effective date of this ordinance" in ROH Section 15-30.3(a) because that phrase is deleted; and
2. Requires that the Revisor of Ordinances, upon the repeal of ROH Sections 15-30.3(a) and 15-30.3(d)(2), redesignate the subsections following repealed ROH Section 15-30.3(a), and remove the subdivision 1 designation for subdivision 15-30.3(d)(1).

C. In SECTION 13, amends the effective date to:

1. Provide that ROH Sections 15-30.3(a) and 15-30.3(d)(2), relating to the authority of the Director to establish, expand, reduce, modify, or dissolve a restricted parking zone, will be repealed five years after the effective date of this ordinance; and
2. Require that the Director, no later than one year prior to the repeal date under subdivision 1, submit to the City Council a report on the RPZs established, expanded, reduced, modified, or dissolved by the Director pursuant to ROH Section 15-30.3(a), including but not limited to the location and boundaries of, and the type and number of parking permits issued for, each restricted parking zone, and a recommendation regarding the repeal, modification, or extension of the Director's authority under ROH Section 15-30.3(a).

D. Makes miscellaneous technical and nonsubstantive amendments.



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address parking in the City and County of Honolulu, including the City's restricted parking zone program.

SECTION 2. Section 15-13.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-13.3 Parking stalls—Required parking therein.

- (a) The director of transportation services is authorized and directed to establish, mark, and designate, where there is an apparent need therefor, a consecutive series of parking stalls for the parallel or angle parking of motor vehicles or for other uses authorized in § 15-22.2 and in Chapter 14, Article 18 upon any street.
- (b) Wherever parking stalls are so established, marked off, and designated, the driver of any vehicle, excepting only single vehicles of a greater length or width, shall park ~~[such]~~ the vehicle completely within a designated stall.
- (c) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle on any portion of ~~[such]~~ the street block, other than in a stall or space so established, marked off, and designated for parking ~~[along such street block]~~.
- (d) Except as otherwise permitted by § 15-13.11, wherever parking stalls are so established, marked off, and designated, each stall ~~[shall be]~~ is for the use of a single vehicle only and it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle in a stall already occupied by another vehicle.
- (e) The term "street block" as used in this section means one side of any street, the length of ~~[such]~~ the side extending between two consecutive intersections; or, in the case of a dead-end street, one side of ~~[such]~~ the dead-end street, the length of ~~[such]~~ the side extending between the dead-end and the nearest intersection.
- (f) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for any person to obstruct the stall or space so established, marked off, and designated for parking along the street block."



A BILL FOR AN ORDINANCE

SECTION 3. Section 15-13.9, Revised Ordinances of Honolulu 2021 ("Authority to store vehicles"), is amended by amending subsection (a) to read as follows:

- "(a) Officers and employees of the Honolulu police department and department of customer services are authorized to remove vehicles or cause them to be removed from a street, highway, or pedestrian mall to a storage area or other place of safety under any of the following circumstances:
- (1) When any vehicle is left unattended upon any bridge or elevated structure, viaduct, or causeway, or left unattended in any tube or tunnel, where [~~such~~] the vehicle constitutes an obstruction to traffic;
 - (2) When any vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle request the removal of the vehicle or are by reason of physical injury incapacitated to such an extent as to be unable to provide for the vehicle's custody or removal;
 - (3) When any vehicle is left unattended upon a street and is parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;
 - (4) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XVII;
 - (5) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XVIII;
 - (6) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning [~~and/or~~] or afternoon peak traffic hours, or both, as designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XIX;
 - (7) When any vehicle is left unattended or parked in a tow zone at all hours of any day on the streets or portions thereof described in Schedule XX;



A BILL FOR AN ORDINANCE

- (8) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XXI;
- (9) When any vehicle is left unattended or parked upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using or attempting to use [~~such~~] the driveway for purposes of egress or ingress;
- (10) When any vehicle is left unattended on a street, or portion thereof, so as to interfere with or impede any one or more of the following: construction, demolition, repair, [~~and/or~~] or maintenance work being done on, adjacent to, above, or below the street, provided a permit has been issued for the work by the director of transportation services, and adequate regulatory signs are posted designating the time of the prohibition;
- (11) When any vehicle is left unattended upon any street within 10 feet of a fire hydrant;
- (12) When any vehicle is left unattended upon any street within 4 feet of either side of a public or private driveway;
- (13) When any vehicle is left unattended or parked in a crosswalk, or within 20 feet of a crosswalk at an intersection, or within 20 feet upon the approach to any midblock crosswalk;
- (14) When any vehicle is left unattended at any time on the roadway portion of any freeway; or when any vehicle, except an authorized emergency vehicle or highway maintenance or construction equipment, is left unattended on the median, shoulder, or any other portion, other than the roadway portion, of any freeway for more than four hours;
- (15) When any bus, truck, truck-trailer, trailer, van, house trailer, or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of the public utilities and construction equipment while engaged in repair or construction work, or vehicles actually loading or unloading goods, wares, or merchandise, is parked on any public street for more than four consecutive hours;
- (16) When any vehicle is left unattended in a transit bus or an express bus lane;



A BILL FOR AN ORDINANCE

- (17) When any vehicle is left unattended upon any bicycle lane or bicycle path;
- (18) When any vehicle is left unattended or parked in violation of the pedestrian mall provisions of Article 25;
- (19) When any vehicle is left unattended or parked in an official bus stop as described in Schedule XXV;
- (20) When any vehicle is parked, stopped, or left standing in violation of § 15-14.1(a)(21) to (a)(26);
- (21) When any vehicle is left unattended or parked on any public street, road, or highway, and the vehicle has any one or more of the following:
 - (A) No valid vehicle registration emblem or an expired vehicle registration emblem;
 - (B) No valid sticker affixed certifying a certificate of inspection as required in HRS § 286-26 or an expired certificate of inspection sticker; or
 - (C) No valid license plates.

For the purposes of this subdivision: "public street, road, or highway" includes the entire width, including any berm or shoulder, of every road, alley, street, way, lane, trail, highway, bikeway, or bridge when any part thereof is open for use by the public;

- (22) When a vehicle is parked in a restrictive parking zone in violation of Article [29] 30 of this chapter;
- (23) When a vehicle is parked in a reserved car-sharing on-street parking stall without a valid and current reserved car-sharing on-street parking stall sticker in accordance with § 15-28.1(g);
- (24) When a vehicle is parked in a loading zone or an officially designated bus stop without a valid and current decal or other approved device permitting parking in loading zones and official bus stops in accordance with § 15-15.5;
- (25) When a shared micromobility vehicle is parked in a manner in violation of any provision of § 15-31.5; and



A BILL FOR AN ORDINANCE

- (26) When any vehicle, including a trailer, is left unattended on a public street or highway for more than 24 hours."

SECTION 4. Section 15-30.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Annual Residential Permit. A card, decal, or other identification issued to an eligible resident to be placed on a vehicle that enables it to be parked in a restricted parking zone throughout a one-year period, subject to standards to be determined by the director.

Annual Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by visitors in a restricted parking zone throughout a one-year period, subject to standards to be determined by the director.

Department. The department of transportation services.

Director. The director of transportation services or the director's designee.

Dwelling Unit. Has the same meaning as defined in § 21-10.1. Each unit of a multiple-unit dwelling is considered a separate dwelling unit.

Family. Persons related by blood, adoption, or marriage.

Nonresident Single-Day Permit. A card, decal, or other identification issued to a person, not residing in a dwelling unit that is located in a restricted parking zone, for use in the restricted parking zone for a single day, subject to standards to be determined by the director.

Parking Placard for a Person with a Disability. Has the same meaning as defined in § 15-29.1.

Resident. Any of the following persons residing in a dwelling unit that is located in a restricted parking zone:

- (1) The owner of the dwelling unit and family members of the owner; or



A BILL FOR AN ORDINANCE

- (2) The renter of the dwelling unit under a lease of 30 days or more, and family members of the renter.

Restricted Parking Zone or RPZ. An area of at least four contiguous blocks in a residential- or apartment-zoned district ~~[where vehicles properly displaying a permit or other authorization pursuant to this article are exempt from the posted parking zone restrictions.]~~ that has one or more of the following components:

- (1) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program;
- (2) Parking in the street is reserved during certain posted hours for exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program; or
- (3) Time limits are established for parking in the street that apply to all vehicles, except for vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.

Restricted Parking Zone Permit or RPZ Permit. A card, decal, or other identification issued to an eligible person to be placed on a vehicle that enables it to be parked in a restricted parking zone.

Single-Day Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by a visitor in a restricted parking zone for a single day, subject to standards to be determined by the director.

Visitor. A person temporarily visiting ~~[residents]~~ a resident or temporarily having business with ~~[residents]~~ a resident who ~~[are]~~ is eligible for a restricted parking zone ~~[permits-]~~ permit."

SECTION 5. Section 15-30.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.2 Administration ~~[of restricted parking zones]~~.

- (a) *Authorization.* The director is authorized to maintain lists of vehicles owned or used by holders of a valid RPZ permit or other identification issued by the director as part of the RPZ program, issue permits or other means of identifying vehicles owned or used by holders of a valid RPZ permit, and adopt any other reasonable means of distinguishing vehicles that are validly parked in an RPZ



A BILL FOR AN ORDINANCE

from other vehicles. The RPZ permit or other means of identification must include the license plate number of the permitted motor vehicle.

(b) Signage. ~~[A restricted parking zone]~~ An RPZ must be appropriately signed or marked.

~~[(b) Program components and permit use.~~

~~(1) A restricted parking zone may have one or more of the following components:~~

~~(A) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program;~~

~~(B) Parking in the street is reserved during certain posted hours for exclusive use of vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program; or~~

~~(C) Time limits are established for parking in the street that apply to all vehicles except vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.~~

~~(2) The director may issue permits or other means of identification, maintain lists of vehicles owned or used by permit holders, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone from other vehicles. The permit or other means of identification must include the license plate number of the permitted motor vehicle.~~

~~(3) A permit does not guarantee or reserve to the holder an on-street parking space within the designated restricted parking zone.~~

~~(c) Application. In order to obtain an RPZ permit, an applicant must present proof of residency in the RPZ, in addition to submittal of a completed application to the director. An applicant must also present proof that the address of vehicle registration matches the applicant's dwelling unit address, or otherwise present proof of residence within the RPZ.~~

~~(d) Permit limit. Each eligible dwelling unit is entitled to have no more than four annual RPZ permits at any one time.~~



A BILL FOR AN ORDINANCE

- ~~(e) — *Exception.* Restricted hours of the restricted parking zone shall not apply to commercial vehicles during active delivery or service to a property within the RPZ.~~
- ~~(f) — *Violations.*~~
- ~~(1) — Except as provided in subsection (3), the registered owner of a vehicle not properly displaying a permit or other authorization pursuant to this article and parked within a restricted parking zone shall be subject to a fine of \$35. Every hour a vehicle remains parked in violation of this subdivision shall constitute a separate violation.~~
- ~~(2) — A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director, shall be subject to a fine of \$55. Every day a permit is improperly used shall constitute a separate violation.~~
- ~~(3) — A driver of a motor vehicle who has a disability as defined under the Americans with Disabilities Act of 1990, 42 USC §§ 12101, et seq., as amended, and displays on the motor vehicle a valid windshield placard or special license plate for persons with disabilities issued in accordance with HRS Chapter 291, Part III, may park in an RPZ without having an RPZ permit.]"~~

SECTION 6. Section 15-30.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.3 Establishment, expansion, reduction, modification, or dissolution of restricted parking zones.

- ~~(a) The director [shall consider recommending to the council the establishment of an RPZ upon receipt of a petition signed by a majority of the residents in the area specified in the petition for the RPZ.~~
- ~~(b) — Upon receipt of a petition meeting the requirements of subsection (a), the director shall engage affected and interested community stakeholders through a public information and involvement program that may include department presentations to business and community associations or organizations, information distribution through the city's web site, news releases and related media, direct mailings of informational materials, facilitated meetings, sounding boards, walking tours, surveys, and other means of outreach and information gathering.~~



A BILL FOR AN ORDINANCE

- (e) may establish, expand, reduce, modify, or dissolve an RPZ in accordance with the limitations and criteria established in subsection (c); provided that:
- (1) The director may not establish more than one new RPZ each calendar year; and
 - (2) The council may amend, expand, reduce, modify, or dissolve an RPZ that was established under this subsection only by ordinance.
- (b) The council may establish, expand, reduce, modify, or dissolve an RPZ by resolution, in accordance with the limitations and criteria established in subsection (c); provided that the director may initiate the expansion, reduction, modification, or dissolution of an RPZ established under this subsection through submission to the council of a recommendation and rationale, which will be effective upon the council's adoption of a resolution.
- (c) Limitations and criteria.
- (1) No RPZ may be established within a one-half mile distance landward of:
 - (A) The certified shoreline, as determined by the State board of land and natural resources or the State surveyor in accordance with HRS § 205A-42, or its successor, and the rules adopted pursuant thereto; or
 - (B) If no valid certified shoreline survey exists, the shoreline as determined as the upper reaches of the waves, other than storm and seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves.
 - (2) In determining whether to [recommend the establishment of the] establish a new RPZ, or to expand, reduce, or modify an existing RPZ, the [director shall consider the] following[:] factors must be considered:
- ~~[(1) Whether 75 percent or more of the capacity of the streets in the proposed RPZ is generally occupied, and more than 35 percent of the vehicles parked on the street in the proposed RPZ are not owned by residents of the designated area;]~~
- (A) The extent to which on-street parking is occupied;



A BILL FOR AN ORDINANCE

- (B) The extent to which off-street parking is available;
- (C) The extent to which vehicles parking in the area are not registered to residents of the affected area;
- ~~[(2)]~~ (D) Whether there is an identifiable traffic generator;
- ~~[(3)]~~ ~~Whether there has been a strong and effective community engagement effort indicating that stakeholders in the designated area support an RPZ;~~
- (E) Whether a majority of the residents in the affected area support the initiative, which may include a petition signed by a majority of the residents;
- ~~[(4)]~~ (F) Whether an RPZ would promote certain benefits or would result in adverse impacts[-];
 - ~~[(A)]~~ (i) Benefits include[-] but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promotion of the use of alternative modes of transportation[-]; and
 - ~~[(B)]~~ (ii) Adverse impacts include[-] but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, reduction in public access to publicly-accessible areas or health care services, and availability of simpler, cheaper, or more effective solutions; ~~[and]~~
- ~~[(5)]~~ (G) Whether the public interest would be served[-];
- (H) The extent to which elimination or limitation of on-going street parking to the general public would impact access to publicly-accessible areas, including, in particular, the shoreline, legal hiking, and legal hunting areas; and
- (I) Whether other regulations or measures would improve parking availability.



A BILL FOR AN ORDINANCE

Modification of the hours of an existing RPZ, or the expansion or reduction of the boundaries of an existing RPZ by two contiguous blocks or less may be made without the necessity of considering all of the criteria set forth in this subsection; provided that any expansion of the boundaries of an existing RPZ must be in compliance with the limitation in subdivision (1).

- (3) In determining whether to dissolve an existing RPZ, the following factors must be considered:
- (A) Low permit sales in an RPZ;
 - (B) The absence of the original traffic generator; and
 - (C) Whether the public interest would be served.

~~[(d) If the director determines that an RPZ should be established, the director shall submit a written recommendation to the council to establish the RPZ by ordinance. The recommendation, at a minimum, must include the reasons an RPZ is needed, the boundaries of the RPZ, the terms and conditions of the RPZ, and the anticipated commencement date of the RPZ.~~

~~(e) Upon establishment of an RPZ by the council by ordinance, the director shall establish a community steering group for the RPZ. RPZ community steering groups shall be responsible for working with the department on implementation of the RPZ and on community security issues.]~~

(d) The boundaries of an RPZ must be described on Schedule XXXIX, in substantially the form set forth at the end of this section as Exhibit A. Notwithstanding subsections (a) and (b), the Kalihi Valley RPZ is hereby established, to include the streets and street segments identified in Exhibit A, and will be the first RPZ to be included on Schedule XXXIX.

- (1) If the council, by resolution, establishes a new RPZ, or expands, reduces, modifies, or dissolves an existing RPZ, the director shall amend Schedule XXXIX to reflect the action of the council, and submit an updated Schedule XXXIX to the city clerk.
- (2) If the director establishes a new RPZ, or expands, reduces, modifies, or dissolves an existing RPZ, the director shall submit:



A BILL FOR AN ORDINANCE

- (A) To the council, a report that includes a summary and rationale for the action of the director, and the associated updated Schedule XXXIX; and
- (B) To the city clerk, an updated Schedule XXXIX that reflects the action of the director.
- (e) Notwithstanding the establishment of the Kalihi Valley RPZ by ordinance pursuant to this section and subsection (b), the director may expand, reduce, modify, or dissolve the Kalihi Valley RPZ by submission to the council and the city clerk of a revised Schedule XXXIX indicating the changes thereto."

SECTION 7. Section 15-30.4, Revised Ordinances of Honolulu 2021, is repealed.

~~["§ 15-30.4 Expanding, reducing, or dissolving restricted parking zones.~~

~~If the director wishes to recommend that the council expand, reduce, or dissolve an existing RPZ, the director shall engage the community in the same manner as for the establishment of an RPZ under § 15-30.3(b) and, if the director determines that the expansion, reduction or dissolution will be in the public interest, the director shall submit a written recommendation to the council to expand, reduce, or dissolve the RPZ by enactment of an appropriate revision or repeal of the existing ordinance. The recommendation, at a minimum, must include the reasons for the recommended action, the new boundaries as applicable, any changes to the terms and conditions of the restricted parking zone, and the anticipated commencement date of the recommended action."]~~

SECTION 8. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new Section 15-30.4 to read as follows:

"§ 15-30.4 Permits.

- (a) Type.
 - (1) Residents may apply for one (1) or more of the following types of RPZ permits, subject to the limitations in subsection (b):
 - (A) Annual residential permit;
 - (B) Annual visitor permit; and



A BILL FOR AN ORDINANCE

(C) Single-day visitor permit; and

(2) Nonresidents may apply for a nonresident single-day permit for use in a specific RPZ when permitted by the director for the specific RPZ.

(b) Limitations.

(1) Each eligible dwelling unit is limited to two annual permits (including both residential and visitor permits); provided that each eligible dwelling unit may not obtain more than one annual visitor permit. A resident may request a waiver of this limitation from the director; provided that the director may not approve more than two additional annual permits per dwelling unit pursuant to a request for waivers under this subsection. In determining whether to grant a waiver request, the director may consider the availability of on-street parking in the requester's residential area and the number of licensed drivers residing in the requester's dwelling unit.

(2) Each eligible dwelling unit is limited to 10 single-day visitor permits per month.

(3) An RPZ permit does not reserve or guarantee the availability of an on-street parking space within the designated RPZ.

(c) Exceptions. The following vehicles may park in an RPZ without obtaining or displaying an RPZ permit:

(1) Commercial vehicles during active delivery or service to a property within the RPZ;

(2) A motor vehicle displaying a valid parking placard for a person with a disability or a special license plate, as defined in § 15-29.1; and

(3) Mopeds, motorcycles, and motor scooters, as defined in HRS § 291C-1.

(d) Application.

(1) Each application for a permit or renewal of a permit by a resident must contain information sufficient to:



A BILL FOR AN ORDINANCE

- (A) Identify the applicant;
 - (B) Identify the applicant's residence or real property address within an RPZ;
 - (C) Establish that the applicant is a resident of the affected area; and
 - (D) Identify the license plate number and provide proof of current Hawai'i registration of the motor vehicle for which the permit will be issued.
- (2) Each application for a nonresident single-day permit must contain information sufficient to:
- (A) Identify the applicant;
 - (B) Identify the applicant's residence or real property address; and
 - (C) Identify the license plate number and provide proof of current Hawai'i registration of the motor vehicle for which the permit will be issued.
- (3) All delinquent parking citations of the applicant must be paid for an application to be approved."

SECTION 9. Section 15-30.5, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.5 Fees [~~for restricted parking zone permits—Waiver or reduction of fees~~].

- ~~[(a) The fees to be collected by the department for restricted parking zone permits for resident parking, visitor parking with resident permit, and single-day visitor parking in a restricted parking zone must be set forth in the ordinance establishing the restricted parking zone.~~
- ~~(b) The director is authorized to cap the number of single-day visitor permits issued per restricted parking zone.]~~



A BILL FOR AN ORDINANCE

(a) RPZ permit fees are as follows:

<u>Type of Permit</u>	<u>Vehicle (per dwelling unit)</u>	<u>Fee</u>
<u>Annual residential permit or annual visitor permit</u>	<u>1st vehicle</u>	<u>\$125 (base rate)</u>
	<u>2nd vehicle</u>	<u>2 times the base rate</u>
	<u>3rd vehicle</u>	<u>3 times the base rate</u>
	<u>4th vehicle</u>	<u>4 times the base rate</u>
<u>Single-day visitor permit</u>	<u>Not applicable</u>	<u>\$10</u>
<u>Nonresident single-day permit</u>	<u>Not applicable</u>	<u>\$10</u>

The director may administratively adjust the amount of the fees for an annual residential or visitor permit, a single-day visitor permit, and a nonresident single-day permit annually; provided that each adjustment may not increase any fee amount by more than 10 percent, and that the director must hold a public hearing before any adjustment of the fee for an annual residential or visitor permit for the first vehicle.

~~[(e)]~~ (b) The director may waive or reduce ~~[a restricted parking zone]~~ the RPZ fee, ~~[whenever:]~~ including if:

- (1) The waiver or reduction is in the overall public interest due to extraordinary facts or ~~[circumstance;]~~ circumstances; and
- (2) The waiver or reduction is consistent with the goals of the ~~[restricted parking zone]~~ RPZ program[;]
- ~~(3) The waiver or reduction is due to a finding by the director that the rates are too high for a particular geographic area; or~~
- ~~(4) The waiver or reduction is due to a finding by the director that the rate would cause an undue financial hardship on affected residents.~~

~~(d) The director, pursuant to HRS Chapter 91, may adopt rules to implement the provisions of this article."~~



A BILL FOR AN ORDINANCE

SECTION 10. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"§ 15-30. Penalties.

(a) Fines.

(1) Except as provided in § 15-30.4(c), the registered owner of a vehicle not properly displaying an RPZ permit or other authorization pursuant to this article and parked on a street within an RPZ is subject to a fine to be determined by the director by rule adopted under §15-30. . Every hour a vehicle remains parked in violation of this subdivision constitutes a separate violation.

(2) A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. , is subject to a fine to be determined by the director. Every day a permit is misused constitutes a separate violation.

(b) Revocation. The director is authorized to revoke a permit if a person misuses a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. ."

SECTION 11. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"§ 15-30. Rules.

The director shall adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this article."

SECTION 12. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu 2021, as amended ("ROH"), the Revisor of Ordinances ("Revisor") need not include the brackets, the material that has been bracketed and stricken, or the underscoring. In addition, the Revisor shall:



A BILL FOR AN ORDINANCE

1. Replace the blanks in the new section of the ROH enacted by SECTION 10 of this ordinance with the ROH section number assigned by the Revisor to the ROH Section enacted by SECTION 11 of this ordinance;
2. Insert the ordinance number of this ordinance in the blanks in Exhibit A attached hereto; and
3. Upon the repeal of ROH Sections 15-30.3(a) and 15-30.3(d)(2), redesignate the subsections following repealed ROH Section 15-30.3(a), and remove the subdivision 1 designation for ROH subdivision 15-30.3(d)(1).

SECTION 13. This ordinance takes effect upon its approval; provided that:

1. Sections 15-30.3(a) and 15-30.3(d)(2), Revised Ordinances of Honolulu 2021, as amended ("ROH"), relating to the authority of the Director of Transportation Services ("Director") to establish, expand, reduce, modify, or dissolve a restricted parking zone, will be repealed five years after the effective date of this ordinance; and



A BILL FOR AN ORDINANCE

- 2. No later than one year prior to the repeal date of ROH Sections 15-30.3(a) and 15-30.3(d)(2) pursuant to subdivision 1, the Director shall submit to the City Council a report on the restricted parking zones established, expanded, reduced, modified, or dissolved by the Director pursuant to ROH Section 15-30.3(a), including but not limited to the location and boundaries of, and the type and number of parking permits issued for, each restricted parking zone, and a recommendation regarding the repeal, modification, or extension of the Director's authority under ROH Section 15-30.3(a).

INTRODUCED BY:

Tyler Dos Santos-Tam

Radiant Cordero

DATE OF INTRODUCTION:

March 9, 2023
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

RICK BLANGIARDI, Mayor
City and County of Honolulu

SCHEDULE XXXIX
ESTABLISHMENT OF RESTRICTED PARKING ZONES

The following streets, blocks, intersections, or portions thereof, are hereby designated as restricted parking zones.

LOCATION	AUTHORITY
KALIHI VALLEY RPZ	
ALU PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
ALU STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
AOAO PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
AOAO STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
JENNIE STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
KONO PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
KONO STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
KULA KOLEA DRIVE, both sides, for its entire length and including its turnaround area.	ORD 23-__
KULA KOLEA PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
NAAI STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
NALANIEHA STREET, both sides, from Likelike Highway to Kalihi Stream.	ORD 23-__
PILIWAI STREET, both sides, for its entire length.	ORD 23-__
WILSON PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
WILSON STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
XXXX RPZ	
XXX STREET	TS 23-__* +
XXY STREET	TS 23-__* +

<i>Explanatory Key (for purposes of this draft; not to be included in final schedule):</i>		
TS – Denotes Traffic Schedule	* - Denotes Sequence Number	+ - Denotes Publication Date

Exhibit A