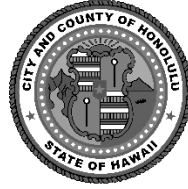


DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • web: www.honolulu.gov

KIRK CALDWELL
MAYOR



JON Y. NOUCHI
ACTING DIRECTOR

DREANALEE KALILI
DEPUTY DIRECTOR

December 10, 2020

The Honorable Ann Kobayashi
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Kobayashi and Councilmembers:

SUBJECT: Bill 89 (2020) – Proposed Monetary Cap and Technical
Amendments

The Department of Transportation Services (DTS) and the Department of Community Services (DCS) jointly submit the attached amended draft of Bill 89 (2020) for your review and consideration.

The first set of amendments are highlighted in green and incorporate the extremely low income (ELI) fare proposed in Bill 91 (2020) into this measure. Based on the discussion on Bill 89 that occurred during the council meeting yesterday, we appreciate the concerns the councilmembers raised on the estimated fiscal impact of the proposed fare and the need to control the subsidy required to support this fare. In Section 18 of the attached draft, we propose a monetary cap to limit the City subsidy to \$1,500,000 per fiscal year. The language allows for the City Council to approve additional appropriations to increase the subsidy. Non-city funds, including state or federal funds may also be used to supplement this fare subsidy. In addition, we request that you correct a typographical error and adjust the single ride fare to \$1.25, as recommended by the Rate Commission.

The second set of amendments are highlighted in yellow and are technical in nature. These reflect discussions between the DTS and the Office of Council Services facilitated by Councilmember Manahan, and provide for improved clarity and readability, and ensure there are no programmatic disruptions caused by the changes in certain terms and definitions.

The Honorable Ann Kobayashi
Chair and Presiding Officer
and Members
December 10, 2020
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Thank you for the opportunity to offer this proposal. Should you have any questions, please call either of us or Deputy Director Dre Kalili at 768-8303.

Very truly yours,

Jon Y. Nouchi, Acting Director
Department of Transportation Services

Pamela A. Witty-Oakland, Director
Department of Community Services

Attachment

APPROVED:

Roy K. Amemiya, Jr.
Managing Director



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC TRANSIT.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapter 2, Revised Ordinances of Honolulu 1990, to introduce the City Payment Card as a means to pay fares, fees, and charges for the transportation services, and to amend Chapter 13 to amend the fare structure for the city transit system.

SECTION 2. Chapter 2, Article 12, Revised Ordinances of Honolulu 1990 ("Department of Transportation Services") is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 2-12. City Payment Card."

- (a) The department may issue city payment cards that are permanent, reloadable cards, or other devices furnished by the department, that store value that can be used to pay fares, fees, and charges for the multimodal municipal transportation system and for other goods and services.

For purposes of this section, "multimodal municipal transportation system" shall mean all public transportation systems of the city including, without limitation, the city bus system, special transit service, the city rail system and associated parking and other services.

- (b) The department may charge a fee not to exceed \$5.00 for a new or replacement city payment card.
- (c) If a city payment card is lost or stolen, the stored value on the card may be recovered if: (1) the lost or stolen city payment card was registered; (2) the owner of the card files a report with the department that the card has been lost or stolen; and (3) the owner requests the stored value to be transferred to a new card; provided, however, that the City shall not bear any responsibility, liability or obligation if it any value on a lost or stolen city payment card cannot be recovered."

SECTION 3. Section 13-1.1, Revised Ordinances of Honolulu 1990 ("Definitions") is amended by adding new definitions of "City paratransit system," "City rail system," "City rail vehicle", "City transit system", "City transit system vehicle", and "Multimodal municipal transportation system" to read as follows, and by deleting the definition of "Bus pass":



A BILL FOR AN ORDINANCE

~~["Bus pass" means a card, ticket or similar document distributed as approved by the department that entitles the holder to unlimited rides on the city transit bus and city ferry system for the duration specified on the pass."]~~

"City paratransit system" means the public transit service which supplements the city bus system to serve persons who are paratransit eligible according to the Americans with Disabilities Act of 1990 (ADA); CFR 49, Part 37, Subpart F, Section 37.123 and persons certified as eligible by the department.

"City rail system" means the public transit service provided by the city through the use of train cars on a fixed guideway system.

"City rail vehicle" means a train car owned by the city and used in the city rail system to transport passengers.

"City transit system" means the public transportation systems of the multimodal municipal transportation system including, without limitation, the city bus system, special transit service, the city rail system and associated parking and other services. but excludes parking and other services.

"City transit system vehicle" means any vehicle designed for carrying passengers and used for providing public transit services as part of the multimodal municipal transportation system.

"Multimodal Municipal Transportation System" means all public transportation systems of the city including, without limitation, the city bus system, special transit service, the city rail system and associated parking and other services."

SECTION 4. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 ("Public transit"), is amended by adding new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

Sec. 13-_____ City Payment Card; Maximum Capped Fares.

- (a) Fares charged by the multimodal municipal transportation system may be paid using city payment cards issued by the department pursuant to Section 2-12._____, at multimodal municipal transportation system facilities and on city transit system vehicles equipped with fare validators. When a city payment card is tapped on a fare validator the applicable fare will be deducted from the stored value.



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- (b) For the city bus system and the city rail system, after a passenger taps a city payment card on a fare validator on a city transit bus or city rail vehicle and the applicable fare is deducted, no additional fares will be deducted for additional bus or rail rides within a period of two and one-half hours following the initial tap, provided that the same city payment card is used for each ride.
- (c) Only city payment cards programmed for fares under the adult passenger category are transferrable. City payment cards programmed for lower fares under other passenger categories are not transferable and use of such city payment cards by anyone other than the authorized and eligible passenger for whom it was programmed shall be considered fare evasion and subject to appropriate penalties.
- (d) For each city payment card, fares for rides on the city bus system and city rail system will be deducted until the cumulative amount of fares paid during a period of time equals the maximum capped fare listed in the Fare Structure Table for that period.
- (1) If total bus and rail fares charged to a single city payment card reaches the Daily Maximum Capped Fare within a service day, no additional fares will be deducted from the stored value of that city payment card for additional bus and rail rides during the remainder of that service day.
- (2) If total bus and rail fares charged to a single city payment card reaches the Monthly Maximum Capped Fare within a calendar month, no additional fares will be deducted from the stored value of that city payment card for additional bus and rail rides during the remainder of that calendar month.
- (3) If total fares charged to a single city payment card reaches the Annual Maximum Capped Fare within a calendar year, no additional fares will be deducted from the stored value of that city payment card for additional bus and rail rides during the remainder of that calendar year.
- (e) Passengers may purchase a Monthly Pass by paying the fee set forth in the Fare Structure Table, and the pass may be programmed to a city payment card."



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SECTION 5. Section 13-2.1, Revised Ordinances of Honolulu 1990 ("Fare structure"), is amended to read as follows:

"(a) For the purposes of this section:

"Adult" means any person over the age of 17 years who does not qualify as a "youth."

~~["Annual bus pass" means a bus pass that is valid for a one-year period.]~~

~~["Approved card" means a debit card or any other city-established form of electronic bus fare and ferry fare payment approved by the director.]~~

~~["Biennial bus pass" means a bus pass that is valid for a two-year period.]~~

"Child" means any person five years of age or younger accompanied by a fare-paying passenger, a city employee, or an employee of the transit management services contractor or ferry management services contractor. If not so accompanied, any person five years of age or younger is deemed a "youth" for purposes of this section.

"Medicare cardholder" means any person to whom a Medicare card has been issued, pursuant to Title II or Title XVIII of the Social Security Act, 42 U.S.C. 401, et seq. and 42 U.S.C. 1395, et seq.

"[Monthly [bus] pass" means a [bus] pass that is valid for a one-month period.

~~["One-day bus pass" means a bus pass that is valid for an unlimited number of bus rides from 12:01 a.m. to 2:59 a.m. the following day and has a minimum fare of two-times the single cash fare standard for each passenger category.]~~

"Paratransit Eligibility ID Holder" means a person with a card issued under Section 13-4.3.

"Person with a [permanent] disability under ROH Section 13-2.2" means a person with a temporary or permanent disability qualified for a [bus-pass] fare plan under ROH Section 13-2.2.

~~["Person with a temporary disability under ROH Section 13-2.2" means a person with a temporary disability qualified for a bus-pass fare plan under ROH Section 13-2.2.]~~

~~["Person with a paratransit eligibility identification card under Section 13-4.3" means a person with a card issued under Section 13-4.3.]~~



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"Senior citizen" means a person 65 years of age or older with ~~[an identification]~~ a programmed city payment card issued under Section 13-2.3.

"Service day" means the hours of operation of the city bus system and city rail system from 12:01 a.m. to 2:59 a.m. the following day.

"Single ~~[cash fare standard]~~ ride fare" means the required payment for a ride on the city bus system or the city ~~[ferry]~~ rail system.

"Single ~~[cash fare special]~~ ride fare special event" means the required payment for a ride on the city bus system or the city ~~[ferry]~~ rail system for a special event as designated by the director.

"Youth" means a person six through 17 years of age, subject to the presentation of a valid identification card establishing the age of the person. The term includes high school students 18 and 19 years of age with a valid high school identification card establishing the age of the student and the student's current enrollment, but excludes college, university, and vocational training students if over the age of 17.

- (b) Except as otherwise provided in this article, the following fares apply to every ~~[person]~~ passenger using the city bus system and the city rail system, and every ~~[person]~~ passenger riding the city bus system and the city rail system shall pay the applicable fare~~[-]~~ set forth in this table:

[FARE STRUCTURE TABLE]

[Passenger Category (Date Effective)]	Identification (ID) Card (New or Renewal)	Single Cash Fare—Standard	One-Day Pass Fare	Monthly Bus Pass Fare	Annual Bus Pass Fare	Biennial Bus Pass Fare	Single Cash Fare—Special Event
Adult (January 1, 2018)	Not applicable	\$2.75	\$5.50	\$70.00	\$770.00	Not applicable	\$6.25
Youth (January 1, 2018)	Not applicable	\$1.25	\$2.50	\$35.00	\$385.00	Not applicable	\$6.25
Child (January 1, 2018)	Not applicable	\$0.00	Not applicable	Not applicable	Not applicable	Not applicable	\$6.25
Person with a Temporary Disability Under ROH	\$10.00 for two years or duration of temporary	\$1.00 w/valid temporary	\$2.00 w/valid temporary	\$6.00 w/valid temporary	\$35.00	\$70.00	\$6.25



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

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Section 13-2.2 (January 1, 2018)	disability-specified by a healthcare professional, whichever is less (only needed for single cash fare, one-day pass, or monthly pass)	disability-ID card	disability-ID card	disability-ID card			
Person with a Permanent Disability Under ROH Section 13-2.2 (January 1, 2018)	\$10.00 for four years (only needed for single cash fare, one-day pass, or monthly pass)	\$1.00-w/valid permanent disability-ID card	\$2.00-w/valid permanent disability-ID card	\$6.00-w/valid permanent disability-ID card	\$35.00	\$70.00	\$6.25
Person with a Paratransit Eligibility ID Card Under ROH Section 13-4.3 (January 1, 2018)	\$0.00	\$1.00-w/valid paratransit eligibility-ID card	\$2.00-w/valid paratransit eligibility-ID card	\$6.00-w/valid paratransit eligibility-ID card	\$35.00-w/valid paratransit eligibility-ID card	\$70.00-w/valid paratransit eligibility-ID card	\$6.25
Senior Citizen (January 1, 2018)	\$10.00 for four years (only needed for single cash fare, one-day pass, or monthly pass)	\$1.00-w/valid senior citizen ID-card	\$2.00-w/valid senior citizen ID-card	\$6.00-w/valid senior citizen ID-card	\$35.00	\$70.00	\$6.25
Medicare Cardholders (January 1, 2018)	Not applicable	\$1.00	\$2.00	Not applicable	Not applicable	Not applicable	\$6.25]



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

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FARE STRUCTURE TABLE

	<u>Cash</u>	<u>Fares Paid Using City Payment Card (CPC) Only</u>				<u>Special Event</u>
<u>Passenger Category</u>	<u>Single Ride Fare</u>	<u>Single Ride with 2.5-Hour Capped Fare with Free Transfers Between Bus and Rail Systems</u>	<u>Daily Maximum Capped Fare</u>	<u>Monthly Pass or Monthly Maximum Capped Fare</u>	<u>Annual Maximum Capped Fare</u>	<u>Single Ride Fare Special Event</u>
<u>Adult</u>	<u>\$3.00</u>	<u>\$3.00</u>	<u>\$7.50</u>	<u>\$80.00</u>	<u>\$880.00</u>	<u>\$6.25</u>
<u>Youth</u>	<u>\$1.50</u>	<u>\$1.50 with programmed CPC*</u>	<u>\$3.75 with programmed CPC</u>	<u>\$40.00 with programmed CPC</u>	<u>\$440.00 with programmed CPC</u>	<u>\$6.25</u>
<u>Child</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$6.25</u>
<u>Senior Citizen</u>	<u>\$1.25 with valid ID</u>	<u>\$1.25 with programmed CPC</u>	<u>\$3.00 with programmed CPC</u>	<u>\$20.00 with programmed CPC</u>	<u>\$45.00 with programmed CPC</u>	<u>\$6.25</u>
<u>Person with a Disability Under ROH Section 13-2.2</u>	<u>\$1.25 with valid ID</u>	<u>\$1.25 with programmed CPC</u>	<u>\$3.00 with programmed CPC</u>	<u>\$20.00 with programmed CPC</u>	<u>\$45.00 with programmed CPC</u>	<u>\$6.25</u>
<u>Medicare Cardholders</u>	<u>\$1.25 with valid Medicare card ID</u>	<u>\$1.25 with programmed CPC</u>	<u>\$3.00 with programmed CPC</u>	<u>\$20.00 with programmed CPC</u>	<u>\$45.00 with programmed CPC</u>	<u>\$6.25</u>
<u>Paratransit Eligibility ID Holders</u>	<u>\$1.00 with valid ID</u>	<u>\$1.00 with programmed CPC</u>	<u>\$2.00 with programmed CPC</u>	<u>\$6.00 with programmed CPC</u>	<u>\$35.00 with programmed CPC</u>	<u>\$6.25</u>
<u>Personal Care Attendant (PCA)</u>	<u>\$0.00 when performing PCA service</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>

*CPC is a city payment card issued pursuant to section 2-12.____.

- (c) The department may establish a program for the use of [bus] transit passes issued to individuals upon payment of the designated [bus] fare and which may be used for the duration specified on the pass. The passes will be issued at various locations to be selected and advertised by the department. The department, through the department of budget and fiscal services, may enter into contractual arrangements with any parties, private



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or public, when such arrangements are deemed to be in the best public interest for the sale and issuance of [bus] transit passes. The council must be informed within 30 days of the city's entering into any such arrangement.

(d) The department may allow a person to board a city transit ~~[bus, city ferry and/or a special transit service]~~ vehicle or enter a designated paid fare area without being charged a ~~[cash]~~ fare as part of a promotional offer or package made available by the city.

~~[(e)]~~ The department may adopt rules in accordance with HRS Chapter 91 which will have the force and effect of law in the implementation of this section.]

~~[(f)]~~(e) In the event of a strike or work stoppage which shuts down any portion of the [city bus system, city ferry system and/or special transit service,] multimodal municipal transportation system, the department may make such ~~[bus pass]~~ fare adjustments as in the judgment of the department are warranted by the particular circumstances.

~~[(g)]~~(f) The department may establish a program for the issuance of college and university student, faculty and staff [bus] transit passes. Such passes may be issued to students, faculty and staff by a college or university and will be subject to terms to be agreed upon between the college or university and the department ~~[in consultation with the transit management services contractor]~~. Students, faculty and staff to whom such passes are issued shall pay the fare negotiated rather than a fare established under subsection (b).

~~[(h)]~~(g) The department may establish a program for the issuance of free [bus] transit passes for city employees. ~~[and employees of the transit management services contractor and ferry management services contractor. Such passes may permit unrestricted use of the bus and city ferry by the employee to whom the passes are issued.]~~

~~[(i)]~~(h) A child riding a city transit ~~[bus or city ferry]~~ vehicle for free shall not occupy a seat to the exclusion of another passenger.

~~[(j)]~~(i) The department may establish a trainer [bus] pass program for persons who train persons with disabilities to use the [city's] city transit [bus on fixed bus routes.] system.



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~~[(k)]~~[(j)] A personal care attendant accompanying a person with a valid paratransit eligibility identification card shall pay no fare when performing the service.

~~[(f)]~~ The department may develop, market and sell distinctive souvenir bus passes that include Hawaiian places, art or other graphics that portray a Hawaiian sense of place as part of its bus pass designs.]"

SECTION 6. Section 13-4.5, Revised Ordinances of Honolulu 1990 ("Fare"), is amended by amending subsection (d) to read as follows:

"(d) Paratransit Eligible ~~[Individual Bus Pass.]~~ ID Holders; fare capping. ~~[There is established a paratransit eligible individual bus pass fare plan. Under the plan, a person with a valid bus pass issued pursuant to this section:~~

- ~~(1)~~ Is not required to pay the single cash fare at any time when using the city transit bus service and/or city ferry service, except when a fare for a special service is charged under Section 13-2.1. ~~To be entitled to ride a city transit and/or city ferry without payment of the single cash fare, the paratransit eligible individual shall display the valid paratransit eligible individual bus pass to the bus operator; and~~
- ~~(2)~~ ~~Is entitled to an unlimited number of rides on the city transit bus service and/or city ferry service for the duration specified on the paratransit eligible individual bus pass.~~

When a paratransit eligible ID holder uses the city payment card programmed for this fare pursuant to Section 13-2.1, fares for rides on the city bus system and city rail system will be deducted until the cumulative amount of fares paid during a period of time equals the maximum capped fare listed in the Fare Structure Table for that period."

SECTION 7. Section 13-4.5, Revised Ordinances of Honolulu 1990 ("Fare"), is amended by amending subsection (e) to read as follows:

"~~[(e)]~~ Issuance and Effective Date of Bus Passes. Any person issued a valid paratransit eligibility identification card under Section 13-4.3 and who applies for a paratransit eligible individual bus pass from the department will be issued the paratransit eligible individual bus pass upon making the appropriate payment in accordance with Section 13-2.1, for the duration specified on the bus pass.]"



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SECTION 8. Section 15-16.5, Revised Ordinances of Honolulu 1990 ("City Hall and satellite off-street parking"), is amended by amending subsection (e) to read as follows:

"(e) Any city official or employee, including any elective or appointive official, any employee of the city and state whose offices are within the joint traffic management center, and any employee of the civic center child care facility, who applies for and receives a parking permit under this section shall pay a fee for parking in accordance with the following schedule:

Unassigned covered stall is the same rate as the fare for an adult monthly [~~bus~~] pass as provided for in Section 13-2.1;

Assigned covered stall is \$15 more than the unassigned covered stalls per month;

Assigned covered stall assigned to an elected or appointed official or employee of the city is \$40 more than the rate for unassigned covered stalls per month;

Assigned tandem covered stall is \$10 less than the rate for unassigned covered stalls per month;

Assigned uncovered stall is \$5 more than the rate for unassigned covered stalls per month;

Assigned uncovered stall assigned to an elected or appointed official or employee of the city is \$40 more than the rate for unassigned uncovered stalls per month;

Unassigned uncovered stall is \$10 less than the rate for unassigned covered stalls per month;

Unassigned uncovered satellite stall with [~~bus~~] transit pass for commuting to working place not less than 3/8ths of a mile away is \$15 less than the rate for unassigned covered stalls per month;

Assigned tandem uncovered stall is \$20 less than the rate for unassigned covered stalls per month;

Carpool unassigned covered or uncovered stalls:

Two occupants.....75% of specified rate

Three occupants.....50% of specified rate

Four or more occupants..... No Charge"

SECTION 9. Section 13-2.2, Revised Ordinances of Honolulu 1990 ("Person with a disability"), is repealed.

SECTION 10. Section 13-2.3 Revised Ordinances of Honolulu 1990 ("Senior citizens"), is repealed.

SECTION 11. Section 13-2.5, Revised Ordinances of Honolulu 1990 ("Special instructions") is repealed.



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SECTION 12. Section 13-2.7, Revised Ordinances of Honolulu 1990 ("Special Instructions") is repealed.

SECTION 13. Section 13-2.10, Revised Ordinances of Honolulu 1990 ("Bus passes for those with extremely low incomes") is repealed.

SECTION 14. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 is amended by adding a new section 13-2.2 to read as follows:

"Sec. 13-2.2 Reduced fare; Person with a disability."

- (a) Single Fare; Use of a Programmed City Payment Card. When the department determines a passenger is a person with a disability as defined in subsection (b) with supporting evidence of the disability pursuant to subsection (c), and is qualified to pay the reduced fare under this section, the department shall issue the passenger a city payment card programmed for this reduced fare for a person with a disability as set forth in the Fare Structure Table. The person with a disability must use the programmed city payment card to pay the reduced fare for rides on the city bus system and city rail system; the reduced fare is not applicable when fares for special event services is charged or for rides on the city paratransit service.
- (b) Definition. For the purpose of this section, a person with a disability who qualifies for this reduced fare shall include any individual who, by reason of illness, injury, advanced age, congenital malfunction or other permanent or temporary incapacity or physical or mental disability, is unable without special facilities or special planning or design to utilize the city bus system or city rail system as effectively as a person who is not so affected. A person with a disability shall also include a person with any incapacity or physical or mental disability which results in the inability of a person to perform one or more of the following functions necessary for the effective use of the city bus system and city rail system facilities or vehicles without significant difficulty:
- (1) Negotiating a flight of stairs, escalator or ramp;
 - (2) Boarding or alighting from a city transit vehicle;
 - (3) Reading informational signs; or



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- (4) Walking more than 200 feet.
- (c) Supporting Evidence of Disability. Applicants for a person with a disability reduced fare shall be required to submit current proof of such disability by a health care professional or any governmental agency involved in a physical or mental disability program and recognized by the department.
- (d) Programmed City Payment Card; Duration and Validity.
- (1) Permanent Disability. When the department issues a programmed city payment card for the reduced fare to a person with a disability whose disability is determined to be permanent, the programmed city payment card shall be valid for four years commencing on the date of issuance. The programmed city payment card may be renewed upon the expiration of the prior term.
- (2) Temporary Disability. When the department issues a programmed city payment card for the reduced fare to a person with a disability whose disability is determined to be temporary, the programmed city payment card shall be valid for either two years or the duration specified in writing by a health care professional, whichever is shorter. The duration shall commence on the date of issuance. The programmed city payment card may be renewed upon the expiration of the prior term provided that the supporting evidence of disability is presented at each renewal.
- (3) An application for renewal of this programmed city payment card for a person with a disability may be made no earlier than 30 days prior to the date of expiration.
- (4) In the event of loss or theft, the person to whom it was issued shall notify the department immediately and programmed city payment card will be invalidated and a replacement programmed city payment card may be issued upon payment of the fee for a replacement card.
- (e) Restriction and forfeiture. A person with a disability who holds a valid programmed city payment card issued under this section shall relinquish the city payment card to the department upon the department's certification of eligibility of the person with a disability for the city paratransit system pursuant to Section 13-4.2.



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- (f) Appeal. A passenger who applies for this reduced fare and is denied shall receive a notice in writing stating the reasons for denial. Within 30 calendar days of receipt of such notice, such passenger may appeal the decision to the director by submitting a completed notice of appeal in a form prescribed by the department. Within 20 business days from the receipt of such notice of appeal, the director or the appointed hearings officer shall schedule a hearing at which the appellant shall be entitled to be heard in person or through counsel and shall be given a full and fair opportunity to present any facts showing the reason why the denial was in error. The director or the appointed hearings officer may affirm, reverse or modify the decision under appeal based upon findings of facts which justify the decision. The decision shall be the final decision of the city. All findings of fact, conclusions of law and decisions and orders of the director or the appointed hearings officer shall be in written form, kept on file and open to public inspection.

SECTION 15. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 is amended by adding a new section 13-2.3 to read as follows:

"Sec. 13-2.3 Reduced fare; Senior citizens.

- (a) Single Fare; Use of a Programmed City Payment Card. When a passenger is 65 years of age or older, such passenger may apply for a city payment card programmed for this reduced fare for senior citizens as set forth in the Fare Structure Table. The department shall issue a programmed city payment card to any passenger who applies and provides acceptable supporting evidence of age. The senior citizen must use the programmed city payment card to pay the reduced fare for rides on the city bus system and city rail system; the reduced fare is not applicable when fares for special event services is charged or for rides on the city paratransit service.
- (b) Programmed City Payment Card; Duration and Validity. When the department issues a programmed city payment card for the reduced fare to a senior citizen, the programmed city payment card shall be valid for four years commencing on the date of issuance. The programmed city payment card may be renewed upon the expiration of the prior term. An application for renewal of this programmed city payment card for a senior citizen may be made no earlier than 30 days prior to the date of expiration. In the event of loss or theft, the person to whom it was issued shall notify the department immediately and the programmed city payment card will



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be invalidated and a replacement programmed city payment card may be issued upon payment of the fee for replacement card.

- (c) Restriction and forfeiture. A senior citizen who holds a valid programmed city payment card issued under this section shall relinquish the city payment card to the department upon the department's certification of eligibility of the person with a disability for the city paratransit system pursuant to Section 13-4.2."

SECTION 16. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 is amended by adding a new section 13-2.5 to read as follows:

"Sec. 13-2.5 Payment of fare. To use the city transit system, prior to boarding a city transit system vehicle or entering a designated paid fare area, a passenger must pay the full applicable fare or present a city payment card, other valid fare instrument for transportation on or within the city transit system; provided that when paying a cash fare, a passenger may overpay the fare, but shall not receive any change if doing so."

SECTION 17. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 is amended by adding a new section 13-2.7 to read as follows:

"Sec. 13-2.7 Conditions for transit passes, identification cards, or programmed city payment cards for reduced fare—Penalty.

- (a) For any transit pass, identification card, or programmed city payment card issued under Section 13-2.1, Section 13-2.2, Section 13-2.3, Section 13-4.3, or Section 13-4.5, collectively referred to in this section as "reduced fare instruments", it shall be a violation of this ordinance for any person to:
- (1) Transfer any of these reduced fare instruments to another person;
 - (2) Allow another person to use any of these reduced fare instruments for rides on the city transit system;
 - (3) Alter any of these reduced fare instruments unless so authorized by the department; or
 - (4) Knowingly obtain, or attempt to obtain, any of these reduced fare instruments based on a false application or certification.
- (b) Any person committing one or more violations of this section shall be guilty of a misdemeanor.



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- (c) The department is authorized to penalize any person in violation of this section by:
- (1) Suspending the person's reduced fare instrument for a period of one year from the date of conviction; or
 - (2) If the remaining term of the reduced fare instrument is less than one year from the date of conviction:
 - (A) Suspending the reduced fare instrument for the remainder of the term; and
 - (B) Prohibiting until one year from the date of conviction the renewal or replacement, or issuance of a new reduced fare instrument."

SECTION 18. Chapter 13, Article 2, Revised Ordinances of Honolulu 1990 is amended by adding a new section 13-2.10 to read as follows:

"Sec. 13-2.10 Transit fares for individuals with extremely low incomes.

- (a) The department of community services shall support the reduced transit fare for individuals whose household incomes meet the United States Department of Housing and Urban Development guidelines for households with extremely low income within the City and County of Honolulu for the applicable household size. The department of community services shall be responsible for the intake and processing of applications, determination of eligibility, and communication of an applicant's eligibility to the department of transportation services.
- (b) The director of community services shall on an annual basis determine the eligibility of the individual for the reduced transit fare established under this section upon review and verification of an application to qualify for the fare. The application form shall be prescribed and furnished by the director of community services. The director of community services may require proof of age, total household income, and household size, and proof may include, but shall not be limited to, true copies of personal income tax returns, bank statements, or other financial records. The director of community services may require proof of nonreceipt of income from relief programs such as supplemental security income, welfare, and unemployment compensation, and may require such authorization from



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the household to enable the director to fully verify household income. The director of community services shall determine whether an applicant qualifies for the reduced transit fare within 60 days of receipt of the completed application, and the director's decision shall be final. The determination of eligibility shall remain in effect for the period of one year.

- (c) Eligible individuals shall receive a city payment card programmed with fares at a one-half rate of the adult fare as follows: a single ride fare of \$1.25, a daily maximum capped fare of \$3.00, a monthly maximum capped fare of \$20.00, and an annual maximum capped fare of \$45.00. This reduced fare shall not be applicable for rides on the city paratransit system.
- (d) The department of community services may adopt rules in accordance with HRS Chapter 91 to implement the provisions of this section.
- (e) Availability of this program is limited to a City subsidy of \$1,500,000 per fiscal year, unless additional appropriations of general funds or non-city funds are approved."

SECTION 19. 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, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

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SECTION 20. Section 2 of this ordinance shall take effect upon its approval;
Sections 3 through 20 of this ordinance shall take effect on **July 1, 2021**.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu