



A BILL FOR AN ORDINANCE

RELATING TO THE ISLAND-WIDE FARE STRUCTURE.

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

SECTION 1. Purpose. The purpose of this ordinance is to establish new bus fares for certain bus riders.

SECTION 2. Sec. 13-2.1, Revised Ordinances of Honolulu 1990 ("Fare structure"), as amended, is amended by amending subsection (b) to read as follows:

"(b) Except as otherwise provided in this article, the following fares shall apply to every person using the city bus system [and the city ferry system], and every person riding the city bus system [and the city ferry system] shall pay the applicable fare.

FARE STRUCTURE TABLE

Passenger Category (Date Effective)	Identification (ID) Card (new or renewal)	Single Cash Fare – Standard	Four-Day Pass Fare	Monthly Bus Pass Fare	Annual Bus Pass Fare	Biennial Bus Pass Fare	Single Cash Fare – Stadium Limited
Adult [(July 1, 2009)]	[Not applicable]	\$2.25 or 1 token	\$25.00	\$50.00	\$550.00	Not applicable	\$5.00]
(July 1, 2010)	Not applicable	\$2.50 or 1 token	\$25.00	\$60.00	\$660.00	Not applicable	\$6.25
Youth [(July 1, 2009)]	[Not applicable]	\$1.00 or 1 token	Not applicable	\$25.00	\$275.00	Not applicable	\$5.00]
(July 1, 2010)	Not applicable	\$1.25 or 1 token	Not applicable	\$30.00	\$330.00	Not applicable	\$6.25
Child [(July 1, 2009)]	[Not applicable]	\$0.00	Not applicable	Not applicable	Not applicable	Not applicable	\$5.00]
(July 1, 2010)	Not applicable	\$0.00	Not applicable	Not applicable	Not applicable	Not applicable	\$6.25



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Person with a Temporary Disability Under ROH Section 13-2.2 [(July 1, 2009)] [(July 1, 2010)] (July 1, 2013)	[\$10.00 for two years or duration of temporary disability specified by a healthcare professional, whichever is less (only needed for single cash fare or monthly pass)]	\$1.00 w/valid person w/a temporary disability ID card	Not applicable	\$5.00 w/valid person w/a temporary disability ID card	\$30.00	\$60.00	\$5.00]
	[\$10.00 for two years or duration of temporary disability specified by a healthcare professional, whichever is less (only needed for single cash fare or monthly pass)]	\$1.00 w/valid person w/a [temporary] disability ID card	Not applicable	\$5.00 w/valid person w/a temporary disability ID card	\$30.00	\$60.00	\$6.25]
	<u>\$0.00</u>	<u>\$0.00 w/valid person w/a disability ID card</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>
Person with a Permanent Disability Under ROH Section 13-2.2 [(July 1, 2009)] [(July 1, 2010)] (July 1, 2013)	[\$10.00 for four years (only needed for single cash fare or monthly pass)]	\$1.00 w/valid person with a permanent disability ID card	Not applicable	\$5.00 w/valid person with a permanent disability ID card	\$30.00	\$60.00	\$5.00]
	[\$10.00 for four years (only needed for single cash fare or monthly pass)]	\$1.00 w/valid person with a [permanent] disability ID card	Not applicable	\$5.00 w/valid person with a permanent disability ID card	\$30.00	\$60.00	\$6.25]
	<u>\$0.00</u>	<u>\$0.00 w/valid person with a disability ID card</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>



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Person with a Paratransit Eligibility ID Card Under ROH Section 13-4.3 [(July 1, 2009)]	[\$0.00]	\$1.00 w/valid paratransit eligibility ID card	Not applicable	\$5.00 w/valid paratransit eligibility ID card	\$30.00 w/valid paratransit eligibility ID card	\$60.00 w/valid paratransit eligibility ID card	\$5.00]	
	[(July 1, 2010)]	[\$0.00.	\$1.00 w/valid paratransit eligibility ID card	Not applicable	\$5.00 w/valid paratransit eligibility ID card	\$30.00 w/valid paratransit eligibility ID card	\$60.00 w/valid paratransit eligibility ID card	\$6.25]
	<u>(July 1, 2013)</u>	<u>\$0.00</u>	<u>\$0.00 w/valid paratransit eligibility ID card</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>
Personal Care Attendant (PCA) [(July 1, 2009)]	[Not applicable	\$0.00 when performing PCA service	Not applicable	Not applicable	Not applicable	Not applicable	\$0.00 when performing PCA service]	
	(July 1, 2010)	Not applicable	\$0.00 when performing PCA service	Not applicable	Not applicable	Not applicable	\$0.00 when performing PCA service	
Senior Citizen Under ROH Section 13-2.3 [(July 1, 2009)]	[\$10.00 for four years (only needed for single cash fare or monthly pass)	\$1.00 w/valid senior citizen ID card	Not applicable	\$5.00 w/valid senior citizen ID card	\$30.00	\$60.00	\$5.00]	
	[(July 1, 2010)]	[\$10.00 for four years (only needed for single cash fare or monthly pass)	\$1.00 w/valid senior citizen ID card	Not applicable	\$5.00 w/valid senior citizen ID card	\$30.00	\$60.00	\$6.25]
	<u>(July 1, 2013)</u>	<u>\$0.00</u>	<u>\$0.00 w/valid senior citizen ID card</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>
Medicare Cardholders [(July 1, 2009)]	[Not applicable	\$1.00	Not applicable	Not applicable	Not applicable	Not applicable	\$5.00]	
	[(July 1, 2010)]	[Not applicable	\$1.00	Not applicable	Not applicable	Not applicable	\$6.25]	
	<u>(July 1, 2013)</u>	<u>\$0.00</u>	<u>\$0.00 w/valid Medicare card</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>\$6.25</u>	



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SECTION 3. Sec. 13-2.2, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

"Sec. 13-2.2 Person with a disability.

- (a) Single Fare. A person with a disability with a valid person with a disability identification card issued by the department shall not pay [a single cash fare in accordance with Section 13-2.1] any fare to ride a city transit bus [and city ferry] upon display to the bus operator [or ferry operator] of the card; except when a fare for special services is charged under Section 13-2.1. Any person with a disability who applies for a person with a disability identification card from the department and is certified to have a permanent or temporary disability shall be issued the same [upon payment of a processing fee in accordance with Section 13-2.1]. It may be renewed thereafter upon the expiration of the prior term [upon payment of the processing fee in accordance with Section 13-2.1]. In the event of theft, loss, or destruction of such identification card, a person with a disability may obtain a replacement identification card [for a processing fee in accordance with Section 13-2.1].
- (1) The identification card for a person with a temporary disability shall be valid for either two years, commencing from the date of issuance and expiring at the end of the month that such identification card was issued two years ago, or the duration specified by a health care professional, whichever is less. It may be renewed thereafter upon the expiration of the prior term; provided the person requesting the renewal demonstrates at each renewal date that the person's mental or physical condition warrants continued status as a person with a disability as defined in this section [and upon payment of the processing fee in accordance with Section 13-2.1]. In the event of theft, loss, or destruction of such identification card, a person with a disability may obtain a replacement identification card [for the processing fee in accordance with Section 13-2.1].
- (2) The identification card for a person with a permanent disability shall be valid for four years, commencing from the date of issuance and expiring at the end of the month that such identification card was issued four years ago.
- [(b) Person with a Disability Bus Pass. There is established a bus pass fare plan for persons with disabilities. Under the plan, a person with a disability, as defined in subsection (c), with a valid person with a disability bus pass issued pursuant to this section:



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

[(c)] (b) Definition. For the purpose of this section, a person with a disability who qualifies for the person with a disability bus pass fare plan shall include any individual who, by reason of illness, injury, advanced age, congenital malfunction or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize the city bus system [and city ferry] system as effectively as a person who is not so affected. The term includes physical or mental disability which clearly demonstrates that the person experiencing such disability is unable, without difficulty or assistance, to utilize the city bus system [and the city ferry system].

A person with a disability shall also be deemed to include a person with any incapacity or 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's facilities [or the city ferry system's facilities] without significant difficulty:

- (1) Negotiating a flight of stairs, escalator or ramp;
- (2) Boarding or alighting from a city transit bus [or city ferry];
- (3) Reading informational signs; or
- (4) Walking more than 200 feet.

[(d)] (c) Supporting Evidence of Disability. Applicants for a person with a disability identification card [or a person with a disability bus pass] shall be required to submit 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.

[(e) Issuance of Bus Passes. Any person with supporting evidence of disability pursuant to subsection (d) and who applies for a person with a disability bus pass



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from the department shall be issued the person with a disability bus pass upon the appropriate payment in accordance with Section 13-2.1.

- (f) **Effective Date.**
- (1) **Permanent Disability.** The person with a permanent disability bus pass shall be effective for the duration specified on the pass. It may be renewed thereafter upon the expiration of the prior term upon appropriate payment as provided in Section 13-2.1.
 - (2) **Temporary Disability.** A person with a temporary disability bus pass may be issued for a period of either two years, commencing from the date of issuance and expiring at the end of the month that such bus pass was issued two years ago, or the duration specified by a health care professional, whichever is less, to a person whose disabling condition is deemed to be temporary and who submits supporting evidence of disability in accordance with subsection (d). Such person with a temporary disability bus pass shall be issued for a fare which may be calculated on a monthly pro rata basis. Such bus pass may be renewed, if warranted, for any additional period equal to the expected duration of a person's disabling condition and the fare calculated on a monthly pro rata basis, provided the person requesting the renewal demonstrates at each renewal date that the person's mental or physical condition warrants continued status as a person with a temporary disability, as defined in this section, and upon payment of the processing fee in accordance with Section 13-2.1.
- (g) **Person with a Disability Bus Pass Renewal.** An application for a renewal of a bus pass issued to a person with a permanent disability under subsection (f)(1) may be made up to 60 days prior to the date of expiration. An application for a renewal of a bus pass issued to a person with a temporary disability under subsection (f)(2) may be made up to 30 days prior to the date of expiration.
- (h) **Person with a Disability Bus Pass Recall.** Bus passes issued for periods in excess of one month may be recalled from time to time at the discretion of the department for recertification or statistical purposes. The department may extend the effective date of the person with a disability bus pass when the person with a disability bus pass is recalled for recertification or statistical purposes to reduce large fluctuations in bus pass renewals in future years.

Person with a disability bus passes issued after a recall may have physical characteristics different from those issued before the recall.



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(i) Person with a Disability Bus Pass Forfeiture. Any person holding a bus pass issued under this section shall relinquish such bus pass if such person is issued a paratransit eligibility identification card under Section 13-4.3.]

[(j)] (d) Appeal. A person denied a [bus pass under this section or] person with a disability identification card or a paratransit eligibility identification card under Section 13-4.3 shall receive a notice in writing stating the reasons for denial. Within 30 days of receipt of such notice or such additional time as may be permitted by the director, such person may appeal the decision to the director or a hearings officer appointed by the director. The appeal shall be effected by filling out the notice of appeal in a form prescribed by the department and filing the same with the department.

[(k)] (e) Hearing. Within 20 working days from the date of mailing or personal service 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.

The notice and hearing requirements shall conform to the applicable provisions of HRS Chapter 91.

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.

[(l)] (f) Rules. The department may adopt rules in accordance with HRS Chapter 91 to implement this section."

SECTION 4. Sec. 13-2.3, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

"Sec. 13-2.3 Senior citizens.

(a) Senior Fare. A senior citizen shall not pay [a single cash fare in accordance with Section 13-2.1] any fare to ride a city transit bus [and city ferry] upon display to the bus operator [and/or ferry operator of] a valid senior citizen identification card



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issued to that person by the department, except when a fare for a special service is charged under Section 13-2.1. Any senior citizen who applies for a senior citizen identification card with the department shall be issued the same upon provision of acceptable supporting evidence of age [and payment of a processing fee in accordance with Section 13-2.1]. The card shall be valid for four years, commencing from the date of issuance and expiring at the end of the month that such identification card was issued four years ago. It may be renewed at any time thereafter [upon payment of the processing fee in accordance with Section 13-2.1]. In the event of theft, loss, or destruction of such identification card, a senior citizen may obtain a replacement identification card [for a processing fee in accordance with Section 13-2.1].

- [(b) **Senior Citizen Bus Pass.** There is established a senior citizen bus pass fare plan. Under the plan, a senior citizen with a valid bus pass issued pursuant to this section:
- (1) Shall not be required to pay the single cash fare at any time when using the regular 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 bus and/or city ferry without payment of the single cash fare, the senior citizen shall display the valid senior citizen bus pass to the bus operator; and
 - (2) Shall be entitled to an unlimited number of rides on the regular city transit bus service and/or city ferry service for the duration specified on the senior citizen bus pass.
- (c) **Issuance and Effective Date.** Upon application, showing of a valid identification card issued to that person pursuant to subsection (a), and payment of the designated bus fare in accordance with Section 13-2.1, the department shall issue a senior citizen bus pass for the duration specified on the senior citizen bus pass. If, not more than 60 days prior to the expiration of the validity of a senior citizen bus pass, the senior citizen applies for and is issued a new senior citizen bus pass, the date of issuance shall be deemed to be the first day following the expiration of the prior senior citizen bus pass. The term of validity of the new senior citizen bus pass shall commence from that date.
- (d) **Expired Senior Citizen Bus Pass.** The department may:
- (1) Require a senior citizen with an expired senior citizen bus pass to return the senior citizen bus pass to the department; and



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- (2) Authorize any officer or employee of the city, transit management services contractor or ferry management services contractor to confiscate a senior citizen bus pass, the validity of which has expired, when the bus pass is displayed by the holder to the officer or employee.
- (e) Senior Citizen Bus Pass Forfeiture. A senior citizen shall relinquish the senior citizen bus pass to the department upon receiving a paratransit eligibility identification card under Section 13-4.3.
- (f) Senior Citizen Bus Pass Recall. Senior citizen bus passes may be recalled from time to time at the discretion of the department for recertification or statistical purposes. The department may extend the effective date of the senior citizen bus pass when the senior citizen bus pass is recalled for recertification or statistical purposes to reduce large fluctuations in senior citizen bus pass renewals in future years. Senior citizen bus passes issued after a recall may have physical characteristics different from those issued before the recall.]
- [(g)] (b) Rules. The department may adopt rules in accordance with HRS Chapter 91 to implement this section."

SECTION 5. Sec. 13-4.5, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

"Sec. 13-4.5 Fare.

- (a) Single Fare.
 - (1) Any person issued a paratransit eligibility identification card under Section 13-4.3 and any person accompanying the ADA paratransit eligible individual utilizing the special transit service shall pay a fare of \$2.00 per person per one-way passenger trip or a fare allowed by the ADA, whichever is less, except as provided in Section 13-2.6. Revenues from the fare shall be deposited into the bus transportation fund.
 - (2) Any person to whom a current paratransit eligibility identification card has been issued under Section 13-4.3 shall not pay [a single cash fare] any fare in accordance with Section 13-2.1 to ride a city transit bus [or the city ferry service] upon display to the bus operator of the card; except when a fare for special services is charged under Section 13-2.1.



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- [(b) Paratransit Eligible Individual Bus Pass. 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) Shall not be 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 bus and/or city ferry without payment of the single case fare, the paratransit eligible individual shall display the valid paratransit eligible individual bus pass to the bus operator; and
 - (2) Shall be 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.
- (c) 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 shall be issued the paratransit eligible individual bus pass upon the appropriate payment in accordance with Section 13-2.1, for the duration specified on the bus pass.]
- [(d)] (b) A personal care attendant registered with the department shall pay no fare at any time when accompanying an ADA paratransit eligible individual and performing services as a personal care attendant.
- [(e)] (c) Employees of the transit management services contractor [or the ferry management services contractor who have been certified as ADA paratransit eligible pursuant to Section 13-4.2] may use the special transit service without being charged a cash fare by displaying their employee identification card and their paratransit eligibility identification card."

SECTION 6. Ordinance material to be repealed is bracketed. 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 bracketed material or the underscoring.



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SECTION 7. This ordinance shall take effect on July 1, 2013.

INTRODUCED BY:

[Handwritten signature]

DATE OF INTRODUCTION:

AUG 16 2012

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

PETER B. CARLISLE, Mayor
City and County of Honolulu

MAI 16 10 51 AM '12
C & C OF HONOLULU
CITY CLERK
RECEIVED

FILED
AUG 16 2014
PURSUANT TO ROH Sec. 1-2.4