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Honolulu City Council
Public Safety and Economic Development Committee
Monday, March 25, 2013, 9:00 am

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Testimony Related to Bill 7 (2013), CD 1, FD1

Councilmember Fukunaga, Chair, & Public Safety & Economic Development Committee Members

I would like to suggest that two items in Bill 7 (2013), CD 1, FD1 be reviewed and possibly edited to better provide equal access to persons with disabilities on public sidewalks and in and around the parking meter areas.

The first item relates to the reference of, "36 inches in width of the sidewalk." Sec. 29_6 Exceptions. (1) (C), and (3) (C), states that, ". . .do[es] not obstruct the use of 36 inches in width of the sidewalk. . ." It might be more prudent to change the language to state that "*at least*" or "*at a minimum*" of 36 inches in width of the sidewalk.

The reason I am suggesting the flexibility in the language is because the Americans with Disabilities Act (ADA) states that accessible pathways, i.e., sidewalks, should be a minimum of 36 inches wide. The intent of the ADA is to provide reasonable accommodations to best meet the needs of persons with a disability. If a section of a sidewalk has to be slightly wider than 36 inches to reasonably accommodate a person with a disability to travel smoothly down the sidewalk, then it should be widened in that section.

The second item relates to, "not obstructing individuals from access to legally parked vehicles." Sec. 29_6 Exceptions. (1) (D), and (3) (D), states that, ". . .do[es] not obstruct individuals from access to or egress from legally parked vehicles." I would like to recommend that more specific language be added to this section to better accommodate the differences between *free on-street parking stalls* and *on-street parking meter stalls* that requires a fee to park in that stall. While both types of parking stalls are legal, I believe parking meter stalls have more restrictions. (The second item may require a separate Bill instead of language change in Bill 7.)

I believe that a parking meter stall can be construed as a space where City government business is transacted because there is an implied fee-for-service contract when an individual feeds the meter and pays to temporarily "rent" the space to park in the stall for a specific amount of time. If this is the case, then it would be prudent to better define what the person is temporarily renting when s/he feeds the meter to park his or her car.

For example, the white lines that demark the boundaries of the parking stall as well as the curb and sidewalk in and around the parking meter could be defined as the designate space each parking meter "rents out when a person feeds the meter. The rented stall should be kept free of any obstructions so all doors of the vehicle can be opened and entered into or exited from by the occupants in the vehicle. Having enough space to easily access any door of the vehicle in the parking space is especially important for persons who have a disability or persons who are assisting a person with a disability because equipment such as wheelchairs and walkers have to be removed or placed into the vehicle.

If the parking space is better defined, it would probably make it easier for the HPD to enforce keeping the parking meter spaces and surrounding sidewalks clear of any obstructions.

Thank you for your time and attention to these matters.

Laurie Hirohata