FILED
FEB 12 2017
PURSUANT TO ROH Sec. 1-2.4

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 10 (2015), CD1

A BILL FOR AN ORDINANCE

RELATING TO CAR SHARING.

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

SECTION 1. Purpose. The purpose of this ordinance is to establish a pilot program to test the utility of the public transit system to improve the mobility of Honolulu residents by providing support and regulation to car-sharing organizations. Specifically, the ordinance authorizes a 36-month pilot project by the director of the Department of Transportation Services to: a) dedicate parking stalls in off-street parking facilities for use by car-sharing organizations for a fee that compensates the City for lost meter revenue, opportunity cost, and installation and maintenance cost, and b) sell parking decals to car-sharing organizations which will allow car-sharing users to park in metered and non-metered off-street spaces without the need for end-user transactions. The 36-month pilot project shall commence upon the issuance of the first permit sticker or decal, whichever is first.

SECTION 2. Chapter 13, Revised Ordinances of Honolulu 1990, as amended ("Public Transit"), is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

"Article __. Public Transit Supportive Services

Sec. 13-__.1 Purpose.

Public transit supportive services, including car-sharing organizations, are services that are provided by for-profit companies or non-profit organizations which closely integrate with and form a vital component of the public transit system in the city. The purpose of this article is to regulate and provide support to car-sharing organizations in order to expand the utility and efficiency of the public transportation system and to improve mobility for all Honolulu residents.

Section 13-__.2 Reserved car-sharing parking stall stickers.

(a) For the purposes of establishing a 36-month pilot program, the director of the department of transportation services or the director's designee ("director") is authorized and directed to establish, mark and designate reserved car-sharing parking stalls in city controlled public off-street parking facilities and assign them for exclusive use by an entity meeting the definition of a car-sharing organization in HRS Section 251-1. The director shall limit the total number of reserved car-sharing parking stalls to an amount no more than 50 stalls in any calendar year within city-controlled public off-street parking facilities.

(b) Reserved car-sharing parking stalls shall be established, categorized and assigned to car-sharing organizations according to administrative rules adopted by the department pursuant to HRS Chapter 91. In addition, at least 30 days before the assignment of the first stall, the director shall provide a written report to the city council on the department's efforts demonstrating interaction and solicitation of community input in the affected areas, including a summary of community concerns, efforts made to address community concerns expressed during the rulemaking process, and the location of each reserved space being made available to car-sharing organizations under this section.

(c) The director shall establish, charge and collect annual fees for each reserved car-sharing parking stall. The annual fee for a reserved car-sharing parking stall shall be $2,500 or 80 percent of the average hourly on-street parking meter rate within a radius of 500 feet of the stall times the annual hours of enforcement, whichever is greater. If a reserved car-sharing stall is within 500 feet of an entrance to a HART rail transit station, the annual fee shall be discounted by one-half.

(d) Any car-sharing organization that is assigned one or more reserved car-sharing parking stalls in city-controlled public off-street parking facilities shall pay to the director an annual fee as provided for in subsection (c), plus a fee of twenty dollars for a reserved car-sharing parking stall sticker for each vehicle in its fleet that will be allowed to park in such reserved car-sharing stall(s). When a reserved car-sharing parking stall sticker is mutilated, defaced or lost, a replacement sticker shall be issued upon payment of twenty dollars. The sums collected pursuant to this section shall be deposited in the highway fund.

(e) Reserved car-sharing parking stall stickers shall be effective for a calendar year, state the date of expiration, be uniquely numbered, and be displayed on a vehicle inside the lower portion of the windshield on the driver's side of the vehicle. The annual fee for the reserved car-sharing parking stall shall be prorated on a monthly basis if purchased after January 31.

(f) No vehicle shall park in a reserved car-sharing parking stall unless there is affixed to the vehicle a valid and current reserved car-sharing parking stall sticker acquired pursuant to subsection (d). Any vehicle parking in a reserved car-sharing parking stall without a valid and current reserved car-sharing parking stall sticker shall be subject to being towed, and the owner of such vehicle shall be subject to a fine of $100 for each offense.

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Sec. 13-__.3 Car-sharing meter parking decals.

(a) For the purposes of establishing a 36-month pilot program, the director shall issue no more than 250 car-sharing meter parking decals in each calendar year to an entity meeting the definition of a car-sharing organization in HRS Section 251-1. Upon submission of the decal request, the entity shall also disclose the nature, approximate geographic areas or addresses, and amount of off-street parking that has been secured.

(b) At least 30 days before issuance of the first decal, the director shall provide a written report to the city council on the department's efforts demonstrating interaction and solicitation of community input in the affected areas, including a summary of community concerns and efforts made to address community concerns.

(c) Any car-sharing organization requesting a car-sharing meter parking decal shall pay to the director an annual fee for each car-sharing meter parking decal issued to the organization. The annual fee for a car sharing meter parking decal shall be $750 or 20 percent of the average hourly City on-street parking meter rate times the annual hours of enforcement, whichever is greater, plus a decal fee of twenty dollars.

(d) When a car-sharing meter parking decal is mutilated, defaced or lost, a replacement decal shall be issued upon payment of twenty dollars. The sums collected pursuant to this section shall be deposited in the highway fund.

(e) Within 90 days of the end of the calendar year, the car-sharing organization must provide data to the department on the metered stall usage of its fleet vehicles. If the fleet occupies metered parking spaces for more than 20% of the annual hours of enforcement, the department shall assess and collect additional fees equivalent to the average time spent per car in metered spaces.

(f) Car-sharing meter parking decals shall be effective for a calendar year, state the date of expiration, be uniquely numbered, and be displayed on a vehicle inside the lower portion of the windshield on the driver's side of the vehicle. The annual fee for the car-sharing meter parking decals shall be prorated on a monthly basis if purchased after January 31.

(g) The vehicles displaying valid and current parking decals issued under subsection (a) may park without paying meter fees, in those metered stalls established pursuant to Sections 15-22.1, 15-23.1 and 15-23.2, which allow parking for longer than one hour or which allow parking for longer than one hour and have a

broken meter for periods longer than the parking time limit designated by official signs established under Section 15-16.1.

(h) Car-sharing meter parking decals issued under this section shall not be effective during a parade or special event or when parking is otherwise prohibited pursuant to Sections 15-13.12, 15-14.8, and 15-22.8.

Sec. 13-__.4 Proof of registration.

Any car-sharing organization shall provide proof to the department that it is properly registered with the State of Hawaii Department of Taxation pursuant to HRS Section 251-3(a) before it may apply for decals or stickers under this article.

Sec. 13-__.5 Car-sharing reporting requirements.

(a) Any car-sharing organization that is assigned one or more reserved car-sharing parking stalls or that purchases one or more car-sharing meter parking decals pursuant to Sections 13-__.2 and 13-__.3 shall be required to survey their membership upon signup and annually thereafter, and provide an annual report to the director, no later than 90 days after the end of the city's fiscal year.

(b) The annual report shall include any and all information as required in administrative rules adopted by the department.

Sec. 13-__.6 Administrative enforcement.

The director shall adopt administrative rules pursuant to HRS Chapter 91 for the purposes of monitoring and enforcing the provisions of this article. To the extent that any car-sharing organization is found to be abusing the privileges afforded by this article, or negligent in compliance with traffic or parking laws, ordinances or regulations, the department shall be empowered to initiate proceedings to revoke existing reserved parking stalls or decals or refuse to issue additional reserved parking stalls or decals to the car-sharing organization."

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SECTION 3. This ordinance takes effect upon its approval and is repealed 36 months after the issuance of the first sticker or decal issued under the article enacted by Section 2 of this ordinance.

INTRODUCED BY:

Trevor Ozawa

DATE OF INTRODUCTION:

February 12, 2015
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

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