CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **24 (2015), CD1, FD1**

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 program in connection with the public transit system to improve the mobility of Honolulu residents by providing support and regulation to car-sharing organizations.

SECTION 2. Chapter 15, Revised Ordinances of Honolulu 1990, as amended ("Traffic Code"), 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. 15-__.1 Reserved car-sharing parking stalls and stickers.

(a) 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 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 of transportation services ("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 $1,500.

(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.

(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 or sticker shall be prorated on a monthly basis if the stall is assigned or the sticker is 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.

Sec. 15-__.2 Car-sharing meter parking decals.

(a) The director may issue parking decals to an entity meeting the definition of a car-sharing organization in HRS Section 251-1 for use of unreserved on- and off-street metered parking stalls. The director shall issue no more than 175 total car-sharing meter parking decals in each calendar year to car sharing organizations. Upon submission of the decal request, the entity shall also disclose the nature, approximate geographic areas or addresses, and number of off-street and on-street parking stalls that the organization intends to use.

(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 $1,500 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.

(e) Within 60 days of the end of the calendar year, the car-sharing organization must provide data showing actual use of metered parking stalls for each car-share vehicle for the preceding year. In the event a car-sharing organization's total actual usage of metered parking stalls, as determined by the city, during the prior meter parking decal term exceeds the annual fee for the car-sharing meter parking decal, the car-sharing organization shall reimburse the city for the difference no later than March 31 of each year.

(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 in those off-street and on-street metered parking stalls established pursuant to Sections 15-22.2, 15-23.1 and 15-23.2, which allow parking for longer than one hour: (1) Without paying meter fees; and (2) For periods longer than the parking time limit designated by official signs established under Section 15-16.1. A parking decal shall allow a car-sharing organization vehicle to park without charge in an authorized metered parking stall for up to 24 hours.

(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, or other applicable laws.

Sec. 15-__.3 Eligibility for decals or stickers.

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. 15-__.4 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 15-__.1 and 15-__.2 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 calendar year.

(b) The annual report shall include the following information for the immediately preceding calendar year: 1) the number of car-sharing meter parking decals issued; 2) the difference between the initial annual fee for the car-sharing meter parking decal and actual usage of metered parking stalls; 3) descriptive data about how often the car-sharing vehicles are rented versus parked, peak use periods, and how and when vehicles tend to be distributed in certain areas of the city; and 4) any other information deemed pertinent by the council.

(c) The director shall annually submit to the council, no later than 120 days after the end of the calendar year, a written report on car-sharing operations participating in the program under this article during the preceding calendar year. The report must include:

(1) A compilation of all information provided in each car-sharing organization's annual report submitted pursuant to subsections (a) and (b);

(2) A discussion of the department's efforts to verify that the data provided is complete, consistent, accurate, and reliable;

(3) The department's assessment, based on available data, of the effect the car-sharing operations have had on traffic congestion and motor vehicle usage on Oahu.

Sec. 15-__.5 Administrative enforcement.

Enforcement of this article shall be done pursuant to the traffic code as set forth in Articles 15-4 and 15-26. If any car-sharing organization is found to be in violation of this chapter or other applicable laws, the department may immediately revoke the car-sharing organization's parking sticker or decal and may refuse to issue additional parking stickers or decals to the car-sharing organization.

Sec. 15-__.6 Deposit and use of revenues.

The funds collected under this article shall be deposited in the highway fund created by HRS Chapter 249, as amended, and shall be used pursuant to Section 15-22.10, unless otherwise required by law."

A BILL FOR AN ORDINANCE

SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Trevor Ozawa

DATE OF INTRODUCTION:

March 25, 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