

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

Amendment and Compilation of Chapter 3-30,
Hawaii Administrative Rules
June 21, 1996

SUMMARY

1. §3-30-1 is amended.
2. §3-30-3 to 3-30-4 are amended.
3. §3-30-5 is deleted.
4. §3-30-6 is amended.
5. §3-30-8 to 3-30-9 are amended.
6. §3-30-10 is deleted.
7. §3-30-12 is amended.
8. §3-30-14 is amended.
9. §3-30-15 is amended.
10. §3-30-17 is amended.
11. §3-30-19 is amended.
12. Chapter 30 is compiled.

HAWAII ADMINISTRATIVE RULES
TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

CHAPTER 30
RULES GOVERNING PARKING ON STATE LANDS

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Historical Note: Chapter 30 of Title 3, Administrative Rules, is based substantially upon Rules and Regulations Governing the Parking on State Lands, Department of Accounting and General Services. [Eff 4/28/80; R 2/11/82; 10/1/91]

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§3-30-1 Definitions. Unless the context otherwise indicates, as used in this chapter:

“Applicant” means an eligible employee or servicing agent who applies for parking accommodations in the manner prescribed by the provisions of this chapter;

“Assigned parking” means a specific marked parking space which is assigned to an eligible employee;

“Car pool” means an arrangement or agreement among two or more eligible employees or servicing agents each working within the state capital complex to use motor vehicles which are registered as car pool vehicles, in transporting themselves to and from work on a regular basis;

“Central Honolulu” is designated as the area generally located between Kalihi (Middle Street) to the west and Pawaā (Punahou Street, Kalakaua Avenue, and Atkinson Drive) to the east;

“Comptroller” means the head of the department of accounting and general services of the State or the comptroller’s designated representative, the division head of the automotive management division;

“Department head” means the head of any of the executive state departments, the administrative director of the courts, the president of the senate, the speaker of the house of representatives, or the head of a legislative agency;

“Departmental parking coordinator” means the person who is designated by a department head or servicing agency and approved by the comptroller to perform the duties specified in this chapter;

“Disabled persons parking placard” means a distinguishing placard issued to a disabled person by a county upon certification of disability pursuant to chapter 19-150, or by a foreign jurisdiction and bearing the international symbol of accessibility;

“Eligible employee” means an officer or employee of the state government who is employed in a permanent position;

“Government agency” means an executive state department, the courts, the houses of the state legislature, or any of the agencies, boards, or commissions of such department, courts, or houses;

“Immediate family” includes husband, wife, father, mother, son, daughter, brother, and sister, provided they share the same address as the permittee;

“Motor vehicle” shall include but not be limited to automobiles, trucks, and motorcycles;

“Parking facility” means a lot, garage, building, or structure, or combination or portion thereof, in which motor vehicles are temporarily parked;

“Parking control office” means the parking control office of the automotive management division of the department of accounting and general services;

“Parking space” means an area of space in a parking facility that is used for parking one motor vehicle at any time;

“Permanent position” means a position without time limitation or which is included in a department’s position ceiling as authorized in the general appropriations act, administrative directives or by specific language in other legislative acts;

“Permit” means bumper decals, a window decal, or a window placard;

“Permittee” means a person who has been granted a permit pursuant to this chapter;

“Qualified disabled person” means a disabled person who has been issued a “disabled persons parking placard”;

“Reserved parking” means the unassigned type of parking spaces which are reserved for eligible employees;

“Servicing agency” means an organization which provides nearly all of its services to state agencies or government employees, including, but not limited to, credit unions servicing state employees and government employee unions;

“Servicing agent” means an employee of a servicing agency, or an independent contractor or consultant contracted by the State to perform work or services for a government agency, or a federal or county employee whose work site is an office of a state government agency;

“State” means the State of Hawaii; and

“State capital complex” means the area of land within the boundaries of: Vineyard Boulevard, Queen Emma-Alakea Streets, Halekauwila Street, Punchbowl Street, Pohukaina Street, South-Alapai Street, Beretania Street, and Punchbowl Street to Vineyard Boulevard. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-2 Areas of state land involved. (a) The provisions of this chapter shall apply to areas of state land under the jurisdiction of the comptroller which are specified on maps kept at the parking control office.

(b) Prior to recording any new parking areas on a map at the parking control office, the comptroller shall post at the site of the new

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parking area, a sign notifying the public of the date this chapter applies to the parking area. The sign shall be posted at least thirty calendar days prior to the date this chapter applies to the parking area. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-3 Application procedures. (a) An eligible employee or servicing agent seeking a parking permit shall obtain an application form from the parking control office or at a place designated by the comptroller. An applicant shall fully and accurately complete the form and shall provide all information requested by the comptroller, including, but not limited to:

- (1) Name, telephone number, work place address, and government agency;
- (2) Registered owner of motor vehicle[s];
- (3) Year, make, and license number of primary motor vehicle;
- (4) Year, make, and license number of secondary motor vehicle, if applicable;
- (5) Driver's license number and expiration date;
- (6) Current certificate of registration for the primary motor vehicle and, if applicable, for the secondary motor vehicle;
- (7) Proof of current no-fault insurance for the primary motor vehicle and, if applicable, for the secondary motor vehicle;
- (8) Parking facility requested; and
- (9) Type of parking requested.

(b) Permits will not be issued for incomplete, expired, or other invalid application information. Only one permit shall be issued to each applicant and the permit shall not be transferable except as otherwise provided. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-4 Assignment of parking. (a) The comptroller may allocate to government agencies or servicing agencies a given number of parking spaces or a specific quota of parking assignments to carry out the agencies' program, provided the need for the spaces or quotas is justified to the satisfaction of the comptroller.

- (1) After a government agency or servicing agency has been allocated a certain number of parking spaces or a specific

quota of parking assignments, the appropriate department head or servicing agency shall identify to the comptroller which applicants shall be assigned parking spaces within the allocation or quota. The recommendations shall be honored by the comptroller when feasible.

- (2) Specially marked parking spaces may be assigned to legislators, judges, department heads, deputy department heads, and others.
- (3) The departmental parking coordinator shall maintain a priority waiting list and a regular waiting list for the non-allocated spaces for each parking facility, and shall make these lists available to the comptroller on request.
 - (A) Each list shall be maintained chronologically on the basis of the date of receipt of the application by the departmental parking coordinator.
 - (B) The priority waiting list shall consist of the names of applicants based on the following factors:
 - (i) Position in state government; Government agency's operational requirements;
 - (ii) Government agency's operational requirements;
 - (iii) Status as a qualified disabled person;
 - (iv) Need for a personal motor vehicle to carry out state business during the day;
 - (v) Car pools; and
 - (vi) Other unique factors which justify the assignment of a priority parking space.
 - (C) Assignments shall be made by the departmental parking coordinator from the priority waiting list first and, after exhaustion of the priority waiting list, from the regular waiting list. Assignment from the regular wait list shall be based upon the department's policy and procedures for assignment of spaces.
 - (D) When an applicant changes from one department to another, the initial date of application for parking will transfer with the applicant.
 - (E) If both husband and wife each have been working within the civic center for ten years or more, the parking assignment maybe transferred to the the remaining spouse upon retirement or termination

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of the original assignee.

- (4) The comptroller may conduct inspections and utilization surveys to promote and enforce efficient utilization, and may recapture for release or reallocation any unjustified parking spaces or quotas.

(b) A government agency having control and jurisdiction over a state-owned motor vehicle may submit a request to the comptroller to have the motor vehicle parked in a state parking facility. The request shall be honored by the comptroller when feasible, and shall have priority over applicants' requests. The government vehicle parking space shall be included in the department or agency's allocation of parking spaces. A government agency having control and jurisdiction over a state-owned motor vehicle may also request overnight parking (garaging) for the vehicle. The government agency shall be liable for the payment of all applicable parking fees and rates imposed by this chapter. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-5 Repealed [R **AUGS 31, 1996**]

§3-30-6 Car pool criteria and restrictions.

(a) Eligible employees or servicing agents shall meet the following requirements to qualify for car pool permits:

- (1) Two or more participants, each with a valid driver's license and a registered motor vehicle, shall constitute a valid car pool;
- (2) Each participant shall be required to complete and meet the requirements of a parking permit application;
- (3) All Central Honolulu participants must have work sites within the state capital complex;
- (4) All Maui participants must have work sites within the boundaries of: E. Main Street, Market Street, Kaohu Street, and Aupuni Street;
- (5) All Hilo participants must have work sites within the Hilo State Office Building; and
- (6) All Kauai participants must have work sites within the Lihue State Office Building, the Lihue Courthouse, or the Lihue Health Center and Annex.

- (b) The following restrictions shall apply to all car pools:
 - (1) All motor vehicles used by the participants shall be registered to the participants or to members of the participants' immediate family;
 - (2) All participants shall be in the motor vehicle when it is parked in the assigned parking facility in the morning;
 - (3) Participants shall be required to park in specifically marked areas;
 - (4) All parking fees due shall be payroll deducted semi-monthly in advance;
 - (5) The car pool permittee shall be responsible for replacing any member who may drop out of the car pool arrangement within a sixty day period. In the event the permittee cannot find a replacement to meet the minimum requirement of two eligible participants, the car pool permit will be terminated; and
 - (6) Any abuse or non-compliance with the requirements of the car pool permit will be subject to termination of the permit.
- (c) Interested, eligible employees or servicing agents shall complete car pool application forms which are available at the parking control office.
- (d) Applications shall be:
 - (1) Marked with the date and time received; and
 - (2) Recorded by the lot requested.
- (e) Permits shall be given on a first come, first served basis per lot as spaces become available.
- (f) If a permittee surrenders an individual parking permit to participate in a car pool, and subsequently drops out of a car pool, the permittee shall be reinstated as an individual permittee and shall be provided parking at the lot where the permittee parked prior to the car pool assignment.
- (g) The comptroller may make exceptions to the requirements of this section provided the exceptions are directed toward the objectives of promoting and encouraging the formation of car pools. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11)

§3-30-7 Unused parking spaces. Parking spaces which remain after all waiting lists are exhausted shall be called unused parking spaces. In order to obtain maximum use of unused parking spaces, the

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comptroller may rent the spaces to others, including members of the public, who shall be bound by this chapter. The comptroller reserves the right to terminate the rental agreements at any time. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-8 Parking fees and rates. (a) The comptroller establishes and assesses the monthly fees and rates in the following Schedule A, entitled Monthly Permittee Parking Rates, for day and night permittee parking on state lands designated to be under the comptroller's jurisdiction and which are specified on maps kept on file at the parking control office.

SCHEDULE A
Monthly Permittee Parking Rate

		Effective 10/1/96	Effective 7/1/98
(1)	Oahu, Central Honolulu		
	(A) Covered Assigned	\$50	\$60
	(B) Covered Reserved	\$46	\$50
	(C) Covered Tandem Assigned	\$45	\$45
	(D) Covered Tandem Reserved	\$40	\$40
	(E) Open Assigned	\$35	\$35
	(F) Open Reserved	\$30	\$30
	(G) Open Tandem/Theater	\$20	\$20
	(H) Motorcycle	\$15	\$15
(2)	Oahu, Outside Central Honolulu		
	(A) Covered Assigned	\$30	\$35
	(B) Covered Reserved	\$25	\$30
	(C) Open Assigned	\$20	\$25
	(D) Open Reserved	\$16	\$20
	(E) Motorcycle	\$10	\$10
(3)	Neighbor Islands		
	(A) Covered Assigned	\$30	\$35
	(B) Covered Reserved	\$25	\$30
	(C) Open Assigned	\$20	\$25
	(D) Open Reserved	\$16	\$20
	(E) Motorcycle	\$10	\$10

(b) The hourly rates for public parking on state lands under the comptroller's jurisdiction shall be as designated in the following Schedule B, entitled Public Hourly Parking Rates. There shall be a maximum parking time limit of two continuous hours per day per stall for individually metered stalls except for stalls designed by the comptroller for four hours maximum time limit.

SCHEDULE B
Public Hourly Parking Rates

- (1) Oahu, Central Honolulu
 - (A) Metered stalls: \$1 per hour for the first two hours provided that in those certain designated metered stalls \$1 per one-half hour thereafter for a maximum of four hours.
 - (B) Attendant stalls: fifty cents for the first half hour; twenty-five cents for each fifteen minutes thereafter up to two hours and fifty cents each fifteen minutes over two hours for a maximum of ten hours.
- (2) Oahu, Outside Central Honolulu
 - (A) Metered stalls: fifty cents per hour for a maximum of two hours.
- (3) Neighbor Islands
 - (A) Metered stalls: fifty cents per hour for a maximum of two hours.
 - (c) The comptroller may establish a flat rate of not less than the hourly public parking rate for after hour parking at attendant stalls.
 - (d) There shall be a twenty dollar (\$20.00) charge per day for a lost ticket at attendant controlled stalls.
 - (e) Monthly fees shall be paid in advance by permittees on a semi-monthly basis without notice or demand. Permittees shall pay their fees through payroll deduction, unless cash payments are authorized by the comptroller. Failure to pay monthly fees on time shall be grounds for revocation of parking permits. Cash payments are due on the first day of the month, and accounts shall be considered delinquent if payment is not made by the sixth day of the month.
 - (f) Unless otherwise specified, permits allow parking between the hours of 7:00 a.m. and 5:00 p.m. on weekdays. If parking times are specified, parking is allowed only during the times specified, dates specified, or both. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

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§3-30-9 Parking decals, placards, and permits. (a) An appropriate parking decal, placard, or permit shall be properly displayed in or on the motor vehicle in accordance with the comptroller's instructions. Upon request, an individual permittee may be issued decals for both a primary and secondary motor vehicle, provided the motor vehicles which will be authorized to park are registered in the permittee's name or in the name of one of the members of permittee's immediate family. Permittees who pay for motorcycle parking will not be issued a decal for a car or truck as a secondary motor vehicle. The comptroller may waive the "immediate family" requirement. Only one of the recorded motor vehicles shall be allowed to park in an assigned parking facility at any given time. Two or more alternate motor vehicles per member may be recorded on a car pool application up to a maximum of six per carpool, but only one motor vehicle shall be allowed to park in an assigned parking facility at any given time. A temporary parking permit issued by the comptroller shall have an expiration date stipulated on the permit.

(b) The comptroller may provide special parking decals or identification to department heads or deputy department heads, authorizing them to park in specific areas under the jurisdiction of the comptroller to conduct official state business.

(c) In the event a permittee disposes of a motor vehicle for which a decal, placard, or permit has been issued, no new parking decal, placard, or permit shall be issued for a new vehicle until the old decal, placard, or permit is surrendered to the parking control office.

(d) Any person parking in a space designated and marked as a disabled persons parking space shall prominently display a disabled persons parking placard either on the dashboard or visor, so that it is visible through the front windshield. The placard shall not be used by anyone other than the qualified disabled person to whom it has been issued, unless it is being used in connection with the transportation of a qualified disabled person. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-10 Repealed [R **AUG 31, 1996**]

§3-30-11 Cancellation of parking assignments. A permittee who wishes to cancel a parking permit shall notify the parking control office at least twenty calendar days in advance of the cancellation date, fill

out appropriate cancellation forms, and submit issued decals, placards, or permits or evidence that the decals, placards, or permits have been destroyed. The cancellation shall become effective on the fifteenth of the month or the last day of the month. Noncompliance with the notice requirement shall result in forfeiture of any refund due. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-12 Cancellation of parking upon change of work site.

A parking permit for a lot inside the state capital complex shall be terminated if the permittee's work site is changed from inside to outside the state capital complex. If, within a six-month period, a permittee whose parking permit was so terminated is reassigned to a work site within the state capital complex, the permittee may be given preference in parking assignments. If a car pool permittee's work site has changed from inside to outside the state capital complex, the parking permit for a lot inside the state capital complex for the car pool shall be terminated. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-13 Cancellation of parking for official leave of absence.

(a) A permittee going on an official leave of absence for four months or longer shall either request temporary cancellation or permanent cancellation of the parking permit. Requests for cancellation shall be processed through the responsible department head or servicing agency and shall be effective on the fifteenth of the month or the last day of the month in which the leave commences. Recognized types of official leaves of absence shall include sabbatical leaves, child care leaves, military leaves including absences due to emergency call to active duty, and other extended leaves as may be approved by the comptroller.

(b) An eligible employee or servicing agent who has requested temporary cancellation of a parking permit shall be given preference before those on the priority waiting list for assignment of a parking permit for the same area for which parking had been previously assigned, if the eligible employee or servicing agent reapplies for the parking in that area. The eligible employee or servicing agent shall submit an application to the parking control office no later than thirty days prior to returning from leave.

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(c) A permittee going on official leave of absence of less than four months shall not be entitled to request a cancellation, nor may the permittee assign, rent, or sublet the parking assignment during the leave of absence without the consent of the comptroller. If the permittee wishes to retain the parking assignment, the permittee shall pay the parking fee or rate by continued payroll deduction or shall arrange with the parking control office to pay the parking fee in cash on a monthly basis at least two weeks in advance of the date the payment is due. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-14 Types of authorized parking permits. (a) The comptroller may issue the following types of special parking permits to meet specific needs of government agencies and servicing agencies to promote and expedite government efficiency:

- (1) State capital complex, temporary parking permit (white). These permits are issued to agencies located outside the state capital complex and shall be used by employees when conducting official business with agencies located within the state capital complex. These permits shall be valid for a two-hour period in the metered stalls, in designated public parking stalls, or as authorized by the parking control officers;
- (2) State capital complex, temporary parking permit (yellow). These permits are issued to agencies located mauka of King Street and shall be used by employees when conducting official business with agencies located makai of King Street. These permits shall be valid for a two-hour period in metered stalls, in designated public parking stalls, or as authorized by the parking control officers;
- (3) State capital complex, temporary parking permit (blue). These permits are issued to agencies located makai of King Street and shall be used by employees when conducting official business with agencies located mauka of King Street. These permits shall be valid for a two-hour period in metered stalls, in designated public parking stalls, or as authorized by the parking control officers;
- (4) State capital complex, temporary parking permit, four-hour time limit. These permits are issued to agencies located

outside the state capitol complex and shall be used by employees when conducting official business with agencies located within the state capital complex. These permits shall be valid for a four-hour period in the metered stalls, in designated public parking stalls, or as authorized by the parking control officers. Agencies requesting these permits shall be assessed fifty per cent of the monthly parking rate for an open reserved stall within the Central Honolulu district. Agencies shall be billed quarterly for these permits. These permits are renewable yearly;

- (5) Board and commission members parking permit (blue). These permits are issued to bona fide members of boards and commissions appointed by the governor of the State. These permits shall be valid only in lots specified on the permits and shall be issued to the board or commission member for the length of term of appointment. Requests for these permits shall be initiated by the respective department heads to the comptroller. The requests shall include:

- (A) Name of member;
- (B) Board, commission, or committee to which appointed;
- (C) Expiration date of appointment;
- (D) Identification of parking lot nearest place of meeting; and
- (E) Year, make, model, and license number of member's vehicle(s).

Permits shall only be used for parking during board meetings. Each month, or as necessary, the department's parking coordinator shall inform the parking control office at least three working days in advance of the date and time of each board's, commission's, or committee's forthcoming meeting. The department's parking coordinator shall be responsible for the proper use of these permits and shall be accountable for control of them;

- (6) Special parking permit (yellow). These permits are issued to eligible employees, servicing agents, and other persons or organizations approved by the comptroller for temporary parking assignments. These permits shall be valid only in the assigned lot for the hour(s) and/or date(s) specified on the permits;

- (7) Special function parking permit. These permits are issued to participants attending special meetings, conferences, seminars, training sessions, and other state functions held within the state capital complex. Participants who are issued these permits must have work sites outside the state capital complex. These permits shall be valid only in the lot and for the hour(s) and date(s) specified on the permits. Requests for these permits shall be made as follows:
- (A) Written requests on a form specified by the comptroller shall be prepared by the sponsoring agency and submitted to the parking control office at least three working days in advance but not earlier than one month prior to the scheduled function;
 - (B) Requests shall state the reason or purpose for the request, the date, time, and location of the function, the lot where parking is desired, and the number of motor vehicles to be accommodated;
 - (C) All requests shall be approved by the respective department head or a designated staff member of the requesting agency;
 - (D) State agencies that require special function parking permit(s) as part of their operational requirements or due to heavy schedules for meetings, conferences, seminars, training sessions, and other related functions may be assessed for parking through a validation system payable on a monthly basis. The parking fee shall be fifty per cent of the public rate for the time each participant's vehicle is parked. Parking fees may be waived by the comptroller based on request frequency, the number of vehicles involved, and other factors;
- (8) Minimal parking permit (green). These permits are issued to parking permittees, state employees with personal problems, and equipment service personnel for a minimal time only and shall be valid only in the lot, date(s), and time(s) specified on the permits. Permits shall be issued for the following reasons:
- (A) Permittees are required to use a loaner vehicle due to emergency repairs to a motor vehicle. Permits shall be issued for a maximum of five days;

- (B) New permittees' are being processed for decals or permits. Permits shall be issued for a maximum of five days;
- (C) Permittees are applying for new decals due to transfer of lots, purchase of a new motor vehicle, or replacing a bumper. Permits shall be issued for a maximum of five days;
- (D) Permittees are submitting cancellation forms along with the permittees' decals or permits as required. Permits shall be issued for ten days or until the effective date of cancellation;
- (E) Employees must have temporary parking accommodations due to their own physical or medical conditions or the physical or medical condition of a member of their immediate family. A physician's report may be required. Permits shall be issued for a maximum of five working days; or
- (F) Equipment service personnel are servicing or repairing office machines, air conditioner units, elevators, or other similar types of equipment. Permits shall be issued for a maximum of five days.

(b) The comptroller may issue parking permits to other persons and organizations as the comptroller deems are necessary to meet operational requirements of state agencies. The comptroller may also determine payments for special permits in the best interest of the State.

(c) Appropriate parking fees shall be assessed for the temporary parking assignments made under subsection (a)(6), where the parking spaces are required to complete work lasting more than five work days. Exemption from this fee requirement shall require a written request to the comptroller with justification, indicating that assessment would create undue hardship for the parking assignee or substantial injury to the interest of the State. Each exemption granted by the comptroller shall be by written memorandum.

(d) Misuse or abuse of any type of parking permit may result in a parking citation, tow away action, revocation of the permit or other penalty allowed by this chapter. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-15 Use of metered stalls and other designated public parking stalls. The comptroller may designate metered public

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parking, loading, and other designated public stalls. Metered stalls and other designated public parking stalls under the jurisdiction of the comptroller are designed to meet the parking needs of:

- (1) The general public to conduct official business with state agencies and servicing agencies;
- (2) Government employees driving motor vehicles with state, city and county, or federal government fleet license plates provided parking is limited to a two-hour time limit;
- (3) Participants attending special meetings, conferences, seminars, and training sessions who have been issued special function permits; and
- (4) Persons with authorized permits. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-16 Power to change and restrict parking assignments and spaces. The comptroller reserves the right to:

- (1) Review, modify, change, or restrict parking assignments during legislative sessions or at other times as to cause the least possible inconvenience to permittees and to promote governmental efficiency and public convenience; and
- (2) Change the number of parking space for all types of parking based on the availability and demand for the respective types of parking, without public notice. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-17 General rules. (a) All official signs and pavement markings shall be observed. All signs and pavement marking posted on state lands designated to be under the jurisdiction of the comptroller, shall be official signs.

(b) Parking shall be permitted only in areas marked and specified for parking. No permittee without a valid, properly displayed parking decal, permit, or placard shall park in any parking area under the jurisdiction of the comptroller.

(c) No permittee shall sublet, subrent, transfer, or assign a parking space, assignment, or permit to any person without the consent of the comptroller.

- (d) There will be no parking in areas marked with a red curb. Parking along a yellow curb is only permitted with an authorized permit.
- (e) A parking decal or permit issued to a permittee shall be valid only in the designated lot or area, for the hours assigned.
- (f) This chapter shall be in effect twenty-four hours daily throughout the entire year.
- (g) The State shall not be responsible or liable for fire, theft, or damage to motor vehicles or contents therein when the motor vehicles are parked or operated in the parking facilities under the comptroller's jurisdiction.
- (h) Any motor vehicle may be removed at the expense of the registered owner or permittee if it is parked in violation of this chapter.
- (i) In any proceeding involving the violation of this chapter, the license number attached to a motor vehicle involved in a violation shall constitute prima facie evidence of the motor vehicle's owner. It shall be assumed that the registered owner of the motor vehicle was the person who parked the motor vehicle at the point where, and during the time when, the violation occurred.
- (j) All persons who are provided parking permits pursuant to this chapter shall:
- (1) Maintain a valid driver's license during the life of the permit;
 - (2) Possess a current certificate of registration for all motor vehicles covered by the permit; and
 - (3) Maintain no-fault insurance for all motor vehicles covered by the permit.
- (k) Violations of the conditions under which the permit is issued, falsification of requested information, or the cancellation or the expiration of licensing, registration, and insurance requirements shall result in the cancellation of the permit. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-18 Enforcement. This chapter shall be enforced by employees of the department of accounting and general services who are duly deputized by the comptroller pursuant to section 107-11, Hawaii Revised Statutes. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-19 Violations and penalties. (a) Vehicles parked in

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expired metered stalls or vehicle parked in excess of the specified time limit shall receive citations and fines as stated in the following county ordinances, relative to the county in which the violation occurred:

- (1) Honolulu - Chapter 15-Traffic Code, City and County of Honolulu;
- (2) Maui - section 10-48, Traffic Code, County of Maui;
- (3) Hawaii - Art. 20, section 3, Traffic Code, County of Hawaii; and
- (4) Kauai - section 16-21.8, Traffic Code, County Kauai.

In addition, vehicles in violation of the above ordinances may be subject to removal as provided in section 3-30-17(h).

(b) Vehicles parked in prohibited or unauthorized parking areas or without proper decals or permits shall receive citations and fines as stated in the following county ordinances, relative to the county in which the violation occurred:

- (1) Honolulu - Chapter 15-Traffic Code, City and County of Honolulu;
- (2) Maui - section 10-48 Traffic Code, County of Maui;
- (3) Hawaii - Art. 20, section 3, Traffic Code, County of Hawaii; and
- (4) Kauai - section 16-21.8, Traffic Code, County of Kauai.

In addition, vehicles in violation of the above may be subject to removal as provided in section 3-30-17(h).

(c) Persons committing violations of this chapter other than as specified in subsections (a) and (b), may be fined not more than \$50 for each violation. In addition, the comptroller may suspend or revoke the parking assignments and permits of any permittee or permanently remove the name of any applicant from any waiting list for violating this chapter. Failure to pay fines or delinquent payments of parking fines may also result in the revocation of parking permits. [Eff 2/11/82; 10/1/91; am and comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-20 Appeals. (a) Any person whose parking assignment has been suspended or revoked, or whose name has been

removed from the waiting list by the comptroller, may appeal that decision to the comptroller within ten days after receiving notice of such decision.

(b) Any person who has received a parking citation for violations other than those set forth in section 3-30-19(a) and (b), may appeal the citation to the comptroller by completing an appeals form at the parking control office within three days from receipt of the citation. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

§3-30-21 Repeal of rules. All rules of the department of accounting and general services relating to parking which took effect on October 1, 1981 are repealed. [Eff 2/11/82; 10/1/91; comp **AUG 31, 1996**] (Auth: HRS §107-11) (Imp: HRS §107-11)

Amendments to and compilation of chapter 30, title 3, Hawaii Administrative Rules, on the Summary Page dated June 21, 1996 were adopted on June 21, 1996 following a public hearing held on Oahu on May 21, 1996; Maui on May 22, 1996; Hawaii on May 30, 1996; and Kauai on May 3, 1996 after public notice was given in the Honolulu Star Bulletin, The Maui News, the Hawaii Tribune-Herald, and The Garden Island on April 18, 1996.

They shall take effect ten days after filing with Office of the Lieutenant Governor.

SAM CALLEJO, Comptroller
Department of Accounting and
General Services

BENJAMIN CAYETANO
Governor
State of Hawaii

Dated: 8/20/96

AUG 21, 1996

Filed

APPROVED AS TO FORM:

Deputy Attorney General