

**ART FRANK
86-363 KAWILI ST.
WAIANAE, HI 96792-2941
FEBRUARY 7, 2006**

**S.B. 3272 MAKING AN APPROPRIATION FOR THE REIM -
BURSEMENT TO THE COUNTIES FOR THE ISSUANCE OF
PARKING PLACARDS TO PERSONS WITH DISABILITIES**

My name is still Art Frank and I am still a deaf quadriplegic who lives on the Waianae Coast. Please bear with me because before testifying on the bill itself I really need to give all of you some background regarding disabled parking. Back in the 80's the counties ran the disabled parking program to each his own. It was a big mess. People died or moved away and the placards were still out there. Consequently it was decided that we needed better control of the placards and the only way to do that was to put the responsibility of the placards on the Discrimination, Communications Access Board (DCAB), which at the time was the Commission on the Handicapped, or the Commission for Persons with Disabilities. The DCAB would plan, organize and control the placards, but the individual counties would implement the plan. All counties being consistent with each other. The budget was worked out where it would cost \$10.00 per placard for four years, and that each of us, the disabled would pay the \$10.00. Unfortunately once the program was implemented and running, some clown on a wheelchair in the 90's, sued the state for discrimination IAW the American with Disabilities Act (ADA). He won and the judge told the state no-no. Consequently the state had to provide the funding for the placard disabled parking program. The program up to this point had been working fine as far as I know, but this year the DCAB ran out of money. I personally didn't understand that so started asking questions because after all the budget was provided for this two year budget by the 22nd legislature. Am I correct? I was finally told that due to the governors cut backs for all departments we lost the funding for the second year in our disabled parking placard program. As far as I am concerned this legislature has no choice but to provide the appropriations for this program because if you don't someone, mainly me, can sue this state under the ADA. Why? I've spent thousands of dollars out of my pocket and my wife's purse over the last three decades coming to this

capitol to educate my government to do the right thing and provide accessibility. It hasn't been easy and it's been damn expensive. Government bodies change so we end up getting screwed because somebody doesn't understand something. I haven't file a lawsuit yet, although others have filed hundreds of lawsuits under ADA. But I'm getting too old (62) and too tired, so from now on if anybody for any reason tramples on my rights I will file a lawsuit. I'm sorry about that but I hope you people understand my position. I'm not trying to get cocky with you, I'm just stating facts. I ask each of you to support S.B. 3272 because it's the right thing to do. Again if you have any questions please ask **OUR EXPERT FRANCINE WAI FROM THE DCAB**. She's the lady with the answers. Thank you very much for this opportunity to testify on this bill and share my views as I see it.