

**TITLE 23**

**DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU  
STATE OF HAWAII**

**CHAPTER 6**

**PUBLIC TRANSIT SUPPORTIVE SERVICES – CAR-SHARING  
PROGRAM**

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## Subchapter 1

## General Provisions

§23-6-1 Authority. Pursuant to and by virtue of the authority set forth in Section 6-1703(d) of the Revised Charter of the City and County of Honolulu 1973 (2000 Ed.) (RCH), Ordinance 15-35, and Chapter 91 of the Hawaii Revised Statutes (HRS), these Rules and Regulations relating to use of City-owned parking stalls by car-sharing organizations are hereby established. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: RCH §6-1703(d), Ord. 15-35)

§23-6-2 Purpose. The purpose of this chapter is to establish a program in connection with the public transit system which serves the public purpose of improving the mobility of Honolulu residents, reducing traffic congestion, and enabling additional transportation options, by providing support and regulation to car-sharing organizations. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: RCH §6-1703(d), Ord. 15-35)

§23-6-3 Definitions. The following definitions shall apply to the provisions contained in these rules and regulations:

- (a) “Meter Parking Decal” is a decal that is affixed to a vehicle in a CSO’s fleet that is effective for a period of one calendar year for the use of unreserved on- and off-street City-owned public metered parking stalls with parking time limits designated by official signs established under Section 15-16.1, ROH beyond one hour.
- (b) “Meter Parking Decal Fee” is a fee assessed once a year for one calendar year or prorated for less than one full calendar year for CSOs requesting a car-share meter parking decal issued to the organization for each vehicle in its fleet that will be allowed to park in City-owned metered parking stalls with parking time limits designated by official signs established under Section 15-16.1, ROH, longer than one hour.
- (c) “Car-Sharing Organization” or “CSO”, is a rental motor vehicle lessor that operates a membership program in accordance with Section 251-1, HRS.
- (d) “City” is the City and County of Honolulu.
- (e) “City-controlled public off-street parking facilities” are parking lots or garages established pursuant to ROH Sections 15-23.1 and 15-23.2 that are owned and managed by the City.

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- (f) "Council" is the Honolulu City Council.
- (g) "DTS" is the Department of Transportation Services, City and County of Honolulu.
- (h) "Director" is the Director of DTS or, in appropriate cases, the Director's designee.
- (i) "HRS" is the Hawaii Revised Statutes.
- (j) "On-street metered parking stalls" are marked parking spaces located in a designated parking meter zone, established pursuant to ROH Section 15-22.2.
- (k) "Permittee" is a CSO to which the City has issued a Reserved Parking Stall Permit or a Meter Parking Decal pursuant to this article.
- (l) "Random Drawing" is a method for selection of a CSO if there is more than one CSO interested in the same Reserved Parking Stall. The Director shall assign numbers to each CSO applying for the same stall and place the numbers in a box and randomly draw the number of the CSO that shall receive the Reserved Parking Stall Permit and Sticker.
- (m) "Reserved Parking Stall" is a marked and designated parking stall in a City-controlled public off-street parking facility, reserved for use only by a designated CSO, specified fleet vehicles, and its members, in accordance with the provisions set forth herein.
- (n) "Reserved Parking Stall Permit" is a permit for exclusive use of a Reserved Parking Stall by a CSO, specified fleet vehicles, and its members.
- (o) "Reserved Parking Stall Sticker" is a sticker, purchased by a CSO, that must be affixed to each vehicle in the CSO's fleet that is authorized to park in a specified Reserved Parking Stall assigned to the CSO.
- (p) "UIPA" is the Uniform Information Practices Act, Chapter 92F, Hawaii Revised Statutes.
- (q) "ROH" is the Revised Ordinances of Honolulu of the City and County of Honolulu. [Eff. **OCT 03 2016** ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: RCH §6-1703(d), Ord. 15-35)

Subchapter 2

Reserved Car-Sharing Parking Stalls Program

§23-6-4 Reserved Parking Stalls. The Director shall make available Reserved Parking Stalls to interested CSO(s).

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-5 Parking applicability. (a) Only vehicles displaying valid Reserved Parking Stall Stickers may park in a Reserved Parking Stall.

(b) The CSO will install signage and markings in accordance with standards provided by DTS to designate the Reserved Parking Stall for “Car Share Vehicles Only” and to identify the CSO that is permitted to use the stall.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-6 Application required. (a) The Director shall provide notice that Reserved Parking Stalls are available and that DTS is accepting applications for Reserved Parking Stall Permits by posting an announcement on DTS’ website that will indicate the date and time by which applications for Reserved Parking Stall Permits must be submitted.

(b) Any CSO desiring a Reserved Parking Stall Permit shall file an application on forms provided by the Director.

(c) Applications shall be accepted during periods announced by the Director in accordance with subsection (a).

(d) Information to be provided with the application shall include, but not be limited to:

- (1) The CSO applicant’s name, mailing address, email address, contact person, phone number, and general excise tax number.
- (2) A Certificate of Good Standing issued by the Hawaii Department of Commerce and Consumer Affairs, within two (2) months of the application.
- (3) Insurance certificates for the CSO.
- (4) Proof of the CSO’s registration with the Hawaii Department of Taxation pursuant to Section 251-3(a), HRS.
- (5) Identification, including a map, of desired Reserved Parking Stall locations.
- (6) A summary report of the CSO’s outreach to the applicable neighborhood board(s).
- (7) A cleanliness plan for the Reserved Parking Stall.

(e) Upon filing, the application shall be date-stamped and time-stamped.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-7

§23-6-7 Application review process. Upon receipt, the Director shall review applications according to the following:

- (1) The application shall be reviewed for completeness and consistency with the goals of Ordinance 15-35, and ability to increase multimodal options for Honolulu residents, while considering the need for public parking.
- (2) The Director shall evaluate whether the parking stall(s) requested in the application are suitable for designation and use as Reserved Parking Stalls.
- (3) If two or more CSOs request the same Reserved Parking Stall, and they cannot all be accommodated, the determination shall be made by Random Drawing.
- (4) CSOs that are selected and awarded a Reserved Parking Stall Permit will be notified in writing.
- (5) The approved application, along with the written notification, shall serve as the Reserved Parking Stall Permit and shall set forth the terms and conditions for the exclusive use of the Reserved Parking Stall(s). [Eff OCT 03 2015 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-8 Reserved parking stall annual fee. (a) A CSO that has been awarded a Reserved Parking Stall Permit shall not be entitled to use the Reserved Parking Stall until it has paid an annual fee.

(b) The annual fee shall be one thousand five hundred dollars (\$1,500.00), payable to the “City and County of Honolulu” and delivered to the Director.

(c) The CSO shall have exclusive use of the Reserved Parking Stall from January 1 to December 31 of the calendar year to which the annual fee applies. The Director shall have the authority to prorate the annual fee if the Reserved Parking Stall Permit is issued after January 31. [Eff OCT 03 2015 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-9 Reserved parking stall permits and stickers not transferable. Reserved Parking Stall Permits and Stickers are valid only for the specific Reserved Parking Stalls and vehicles for which they are issued, and they are not transferable or assignable without the consent of the Director. Reserved Parking Stall Stickers are valid for any Reserved Parking Stall for which a CSO has a valid Permit.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-10 Failure to pay annual fee. If a CSO fails to pay the annual fee within sixty (60) working days after DTS sends the CSO written notice that its application has been approved, the Reserved Parking Stall Permit shall be cancelled and the CSO shall forfeit the Reserved Parking Stall.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-11 Reserved parking stall permit renewal. (a) Applications to renew Reserved Parking Stall Permits shall be filed by December 1 prior to expiration of the Reserved Parking Stall Permit.

(b) CSO(s) may apply annually to renew a Reserved Parking Stall Permit for three consecutive years beyond the first year. The application for renewal shall contain the same information required by Section 23-6-6 above.

(c) For each renewal, the CSO must pay the annual fee and purchase new Reserved Parking Stall Stickers for each vehicle that will be allowed to use the Reserved Parking Stall pursuant to Section 23-6-12.

(d) If, by the date set forth in (a) above, a Reserved Parking Stall Permittee does not submit an application to renew a Reserved Parking Stall Permit that is eligible for renewal, the Reserved Parking Stall Permit shall expire on December 31 and the Reserved Parking Stall may be made available to another CSO, or may revert back to its original use. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-12 Reserved parking stall stickers. (a) Reserved Parking Stall Stickers may be issued to Reserved Parking Stall Permittees, for specified vehicles that will be allowed to use the Reserved Parking Stall.

(b) The cost of a Sticker shall be twenty dollars (\$20.00) payable to the "City and County of Honolulu" and delivered to the Director.

(c) Reserved 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.

(d) Any vehicle parked in a Reserved Parking Stall must display a Reserved Parking Stall Sticker valid for that stall.

(e) If a Reserved Parking Stall Sticker is mutilated, defaced, or lost, a replacement may be issued for a replacement fee of twenty dollars (\$20.00) payable to the "City and County of Honolulu" and delivered to the Director.

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[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

§23-6-13 Removal and relocation of reserved parking stalls. (a) Reserved Parking Stalls may be removed or relocated with 30 days' notice at the discretion of the Director.

(b) If a Reserved Parking Stall must be removed while it is reserved to a CSO under a Reserved Parking Stall Permit, the City will refund a prorated amount to the CSO, or the Director and the CSO may find a suitable alternative Reserved Parking Stall.

(c) If a Reserved Parking Stall must be temporarily relocated due to a construction or maintenance project, the Director will work with the Reserved Parking Stall Permittee to find a temporary alternative location.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35)  
(Imp: Ord. 15-35)

### Subchapter 3

#### Car-Sharing Meter Parking Decals Program

§23-6-14 Meter Parking Decals. The Director may issue Meter Parking Decals to interested CSOs. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-15 Parking applicability. (a) Vehicles displaying valid Meter Parking Decals may park in metered parking stalls, in the City's right-of-way and in City-controlled public off-street parking facilities, which allow for parking longer than one hour:

- (1) Without paying meter fees; and
- (2) For up to twenty-four (24) hours.

(b) Meter Parking Decals shall only excuse the CSO, with respect to the subject vehicle, from applicable parking meter fees and associated time limits at locations and during times where public parking is otherwise allowed; it does not excuse the CSO from compliance with the Traffic Code (ROH Chapter 15) and all other laws governing vehicles, parking, and the use of City roadways and rights-of-way, nor does it allow the vehicle to park in locations or at times where parking by the general public is prohibited.

(c) Meter Parking Decals shall not be effective for any metered parking stalls that have been rendered unavailable for parking by law, such as during a parade or special event, or due to construction activity, or pursuant to ROH Sections 15-13.12, 15-14.8, and 15-22.8. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-16 Application required. (a) The Director shall provide notice that Meter Parking Decals are available and that DTS is accepting applications for Meter Parking Decals by posting an announcement on DTS' website indicating the date and time by which applications for Meter Parking Decals must be submitted.

(b) Any CSO wishing to purchase a Meter Parking Decal shall submit an application on a form provided by the Director.

(c) Applications shall be accepted during periods announced by the Director in accordance with subsection (a).

(d) Information to be provided with the application shall include, but not be limited to:

- (1) The CSO applicant's name, mailing address, email address, contact person, phone number, and tax number.
- (2) A Certificate of Good Standing issued by the Hawaii Department of Commerce and Consumer Affairs within two (2) months of the application.
- (3) Insurance certificates for the CSO.
- (4) Proof of the CSO's registration with the Hawaii Department of Taxation pursuant to HRS Section 215-3(a).
- (5) The CSO's proposed geographical service area boundaries for vehicles with Meter Parking Decals.
- (6) Number of decals requested.
- (7) A summary report of the CSO's outreach to the applicable neighborhood board(s).
- (8) Summary of qualifications for economic viability, including an overview of the CSO's operational history, experience in providing car-sharing services to customers, and a list of existing project examples similar to Honolulu.

(e) Upon filing, the application shall be date-stamped and time-stamped. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-17

§23-6-17 Application review process. (a) The Director shall issue Meter Parking Decals based on a review of the applications received, according to the following:

- (1) The application shall be reviewed for completeness and consistency with the goals of the Ordinance 15-35, and ability to increase multimodal options for Honolulu residents, while considering the need for public parking.
- (2) Favorable consideration shall be given to CSOs implementing a larger and more diverse geographic service area.
- (3) CSOs that are selected and awarded Meter Parking Decals will be notified in writing. The approved application, together with the written notification shall set forth the terms and conditions for the use of the Meter Parking Decals. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-18 Meter parking decal annual fee. (a) To obtain a Meter Parking Decal, the approved CSO shall pay an annual fee of one thousand five-hundred and twenty dollars (\$1,520.00), payable to the “City and County of Honolulu” and delivered to the Director.

(b) The Meter Parking Decal shall be valid from January 1 to December 31 of the year to which the annual fee applies.

(c) The Director may prorate the annual fee for Meter Parking Decals issued for less than a full year. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-19 Meter parking decal not transferable. Each Meter Parking Decal is valid only for the specific vehicle for which it is issued and is not assignable or transferable without the consent of the Director.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-20 Failure to pay annual fee or pick up decal. If an applicant fails to pay the annual fee and pick up the Meter Parking Decal(s) within sixty (60) working days after DTS has sent the CSO written notice that its application has been approved, the approval shall be cancelled and the CSO shall forfeit the Meter Parking Decal(s). [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-21 Meter parking decal renewal. (a) Applications to renew the Meter Parking Decals shall be filed by December 1 prior to the expiration of the Meter Parking Decal.

(b) CSO(s) may apply annually to renew Meter Parking Decals for three consecutive years beyond the first year. The application for renewal shall contain the same information required by the Section 23-6-16 above.

(c) For each renewal, the CSO must pay the annual fee for each Meter Parking Decal renewed.

(d) If, by the date set forth in (a) above, a Meter Parking Decal Permittee does not submit an application to renew a Meter Parking Decal that is eligible for renewal, the Meter Parking Decal shall expire on December 31.

[Eff **OCT 03 2016** ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

§23-6-22 Decal display required. (a) Meter Parking Decals shall be displayed on the vehicle for which the Meter Parking Decal has been issued, inside the lower portion of the windshield on the driver's side of the vehicle. Meter Parking Decals will be effective for a calendar year, state the date of expiration, and be uniquely numbered.

(b) If a Meter Parking Decal is mutilated, defaced, or lost, a replacement may be issued for a replacement fee of twenty dollars (\$20.00), payable to the "City and County of Honolulu" and delivered to the Director.

[Eff **OCT 03 2016** ] (Auth: RCH §§ 4-105.4, 6-1703(d)) (Imp: Ord. 15-35)

#### Subchapter 4

#### Car-Sharing Organization Program Reporting Requirements

§23-6-23 Car-Sharing Organization Reporting Requirements. (a) A CSO that is assigned one or more Reserved Parking Stall Permits or Meter Parking Decals shall survey their members initially upon sign up and annually thereafter.

(b) CSOs must provide a written report to the Director, no later than 90 days after the end of the calendar year. The annual report shall include the following information for the preceding calendar year:

- (1) The number of Metered Parking Decals issued to the CSO;

- (2) The difference between the fee assessed for the Meter Parking Decal and actual usage of metered parking stalls;
- (3) Descriptive data about how often 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;
- (4) General information regarding fleet and membership:
  - (A) Number of vehicles in fleet
  - (B) Location of vehicles (both on- and off-street)
  - (C) Fleet Usage
  - (D) Total number of members
  - (E) Member survey and demographics, and;
- (5) Any other pertinent information requested by the Director or required by law.

(c) Within sixty (60) days after the end of the calendar year, the CSO must provide data showing actual usage of metered parking stalls by each vehicle for which a Metered Parking Decal was issued during the preceding calendar year. In the event the total actual usage of metered parking stalls by the vehicle, as determined by the City, exceeds the Meter Parking Decal annual fee, the CSO shall reimburse the City for the difference no later than March 31 of each year.

(d) Information submitted to the City is subject to the UIPA, HRS Chapter 92F. If the CSO believes that any materials it submits constitute trade secrets, privileged information, or confidential commercial information or financial data, then the CSO shall mark those items as confidential or proprietary.

(e) The City is not bound by the CSO's determination as to whether materials are subject to disclosure under the UIPA, and reserves the right to independently determine whether the materials are required to be made available for inspection or otherwise produced under the UIPA.

(f) If the City receives a request, subpoena, court order, or other legal authority, for such information marked as confidential, or if legal action or process is initiated for such information, the City will notify the CSO and comply with its disclosure requirements. The CSO shall be responsible for taking appropriate action to defend against disclosure of its confidential information, and will indemnify and hold the City harmless from any costs or liability resulting from any UIPA litigation. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

Subchapter 5

Car-Sharing Organization's Responsibilities

§23-6-24 Car-sharing organization's responsibilities. (a) The CSO shall be responsible for the following:

- (1) Each CSO fleet vehicle that is assigned a Reserved Parking Stall Sticker or a Meter Parking Decal must be:
  - (A) Owned by the CSO or a parent company.
  - (B) Registered with the City and County of Honolulu, Department of Customer Services, Motor Vehicles Registration Division, and proof of such registration shall be provided to the Director before any Reserved Parking Stall Sticker or Meter Parking Decal may be issued for that vehicle.
  - (C) Clearly identified as a car-sharing vehicle by the CSO's company logo or name affixed to a publicly visible area of the vehicle's exterior.
- (2) CSOs must resolve all the parking citations, fines, and charges associated with its fleet before it can apply for any Reserved Parking Stall Permit or Meter Parking Decal, whether initially or as a renewal. A CSO's application may be disqualified if the CSO fails to resolve all parking citations, fines, and charges before the initial or renewal application deadline.
- (3) Any advertisement or publication referencing the City's participation in car share program operations must have the City's prior written approval.
- (4) CSO Permittees shall indemnify, defend and hold harmless the City, its officers, agents and employees from any and all claims, demands, and actions for personal injury or property damage, including attorney's fees and costs, which may result from the CSO's activities or its use of City-owned parking stalls.
- (5) CSO shall keep the parking stalls that it utilizes in a safe, clean and orderly condition. Failure to do so will result in the revocation of any Reserved Parking Stall Permits or Meter Parking Decals issued to the CSO. [Eff 001 5 3 015 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

Subchapter 6

Insurance Requirements

§23-6-25 Insurance requirements. (a) General conditions. The CSO agrees to secure, at or before the time of the execution of the permit, the following insurance covering all operations, goods, and services provided pursuant to the permit.

(b) The CSO(s) shall keep the required insurance coverage in force at all times during the term of the permit and any extension.

(c) The required insurance coverages shall be written on occurrence forms, unless specifically approved by the City.

(d) The required insurance shall be underwritten by an insurer licensed and authorized to do business in the state of Hawaii and rated by A.M. Best Company as "A-VIII" or better, or provided by CSO as a self-insurer.

(d) The insurance coverage shall contain a valid provision or endorsement requiring notification to the City in the event any of the required policies be cancelled or non-renewed before the expiration date.

(e) The written notice shall be sent to the parties identified above and shall reference the permit number.

- (1) The notice shall be sent thirty (30) prior to such cancellation or non-renewal unless due to non-payment of premiums for which notice shall be sent ten (10) days prior.
- (2) If such written notice is unavailable from the insurer, CSO shall provide written notice of cancellation, non-renewal and any reduction in coverage to the parties identified in the Notices section by certified mail, return receipt requested within three (3) business days of such notice by its insurer(s) and referencing the City's permit number.
- (3) The CSO shall be responsible for the payment of any deductible or self-insured retention.
- (4) The insurance coverage specified are minimum requirements, and these requirements do not lessen or limit the liability of the CSO.
- (5) The CSO shall maintain, at its own expense, any additional kinds of amounts of insurance that it may deem necessary to cover its obligations and liabilities under the permit.

[Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-26 Proof of insurance. (a) The CSO may not commence services or work relating to the permit prior to placement of coverage.

(b) The CSO shall provide certificates of insurance evidencing compliance with all insurance requirements herein. The permit number should be referenced on the certificate.

(c) The City's acceptance of a certificate of insurance or proof of insurance that does not comply with all insurance requirements set forth in this permit agreement shall not act as a waiver of the CSO's breach of the permit or of any of the City's rights or remedies under the permit.

(d) The City's Department of Budget and Fiscal Service's Risk Management Officer may require additional proof of insurance, including but not limited to policies and endorsements. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-27 Additional insured. For Commercial General Liability, CSO's insured(s) shall name the City and County of Honolulu as the additional insured. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-28 Waiver of subrogation. For all coverage, CSO's insurer shall waive subrogation rights against the City. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-29 Subcontractors and subconsultants. (a) All subcontractors and subconsultants (including independent CSO's, suppliers and entities supplying goods or services required by the permit) shall be subject to all of the requirements herein and shall procure and maintain the same coverage required of the CSO.

(b) The CSO shall include all such subcontractors as additional insured under its policies (with the exception of Worker's Compensation) or shall ensure that all such subcontractors and subconsultants maintain the required coverage. The CSO agrees to provide proof of insurance for all such subcontractors and subconsultants upon request by the City. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-30 Workers compensation/liability insurance. The CSO shall maintain the coverage as required by statute for each work location and shall maintain Employee's liability insurance with limits of not less than \$100,000 per occurrence for each bodily injury claim, \$100,000 per occurrence for each bodily

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injury claim caused by disease claim, and \$500,000 aggregate for all bodily injury claim caused by disease claims. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-31 Commercial general liability insurance. The CSO shall maintain Commercial General Liability insurance coverage with limits of not less than \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$2,000,000 policy aggregate. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-32 Business auto liability insurance. The CSO shall maintain business auto liability coverage with a combined single liability limit of not less than \$1,000,000 applicable to all owned, hired and non-owned vehicles used in performing services under the permit. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-33 Additional provisions. (a) For Commercial General Liability, the policy must provide the following:

- (1) That the permit is an Insured Contract under the policy.
- (2) A provision that coverage is primary and non-contributory with other coverage or self-insurance maintained by the city.

(b) For claims made coverage, if approved by the City Risk Management Officer, the retroactive date must be on or before the contract date or the first date when any goods or services were provided to the City, whichever is earlier.

(c) The Director may automatically revoke any Reserved Parking Stall Permit or Meter Parking Decal without further action if this insurance is permitted to lapse, is cancelled, or for any other reason becomes inoperative. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

Subchapter 7

Car-Sharing Program Enforcement and Revocation

§23-6-34 Enforcement and Towing. (a) If any CSO is found to be in violation of the ROH Ordinance 15-35, these rules, or any law or regulation applicable to the CSO's use of City-owned parking facilities or City roadways and rights-of-way, the Director may revoke any Reserved Parking Stall Permits or

Meter Parking Decals issued to that CSO, and may refuse to issue any Reserved Parking Stall Permits or Meter Parking Decals to the CSO.

(b) All CSOs shall operate and utilize parking within the City right-of-way and City-controlled public off-street parking facilities in compliance with all other applicable federal, state, and City laws and regulations.

(c) The following are restricted activities:

- (1) CSOs may not use any City-owned parking stall to advertise or post advertisements or for any commercial activity other than the parking and pick-up of the authorized vehicle.
- (2) Car-sharing fleet vehicles shall be prohibited from parking in an on-street or off-street public parking stall reserved for persons with a disability under Chapter 291, HRS, unless the member of the CSO car-sharing program meets the criteria for special parking privileges stated under Chapter 291, HRS and the disabled parking permit is displayed as described in Section 291-54 HRS, for the duration of time the car-sharing fleet vehicle is parked within the parking space or stall reserved for a person with a disability under Chapter 291-55, HRS.
- (3) No CSO shall wash, rinse, clean, wax, grease, maintain (including oil change) or repair any vehicle while the vehicle is parked in a City-owned parking stall, except for repairs necessitated by an emergency and when wiping down vehicles using a waterless method that does not cause contamination or damage to the stall or surrounding areas.
- (4) Except for authorized vehicles in Reserved Parking Stalls or as otherwise allowed by law, no CSO fleet vehicle shall be parked in the same location upon a City street or in a City-controlled public off-street parking facility for more than twenty-four hours in accordance with ROH Section 15-16.8. [Eff OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

§23-6-35

### Subchapter 8

#### Deposit and Use of Revenues

§23-6-35 Deposit and use of revenues. The funds collected from CSOs purchasing Reserved Parking Stall Stickers or Meter Parking Decals shall be deposited into 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. [Eff: OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), Ord. 15-35) (Imp: Ord. 15-35)

### Subchapter 9

#### Public Information

§23-6-36 Methods whereby the public may obtain information. The public may obtain information as to matters within the jurisdiction of the DTS by inquiring at: (a) The Office of the City Clerk, City Hall, where all rules of DTS are on file.

(b) The Administrative Office of the DTS, Fasi Municipal Building 3rd Floor, 650 S. King Street, Honolulu, Hawaii 96813.

(c) The DTS website: [www.honolulu.gov/dts/default.html](http://www.honolulu.gov/dts/default.html) [Eff: OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), HRS §91-2) (Imp: HRS §91-2)

§23-6-37 Submittals or requests for information. Inquiries may be made in person, by telephone at (808) 768-8300, Monday through Friday, 7:45 a.m. to 4:30 p.m. excluding holidays or by submitting a written request for information to the Director, Department of Transportation Services, Fasi Municipal Building 3<sup>rd</sup> Floor, 650 South King Street, Honolulu, Hawaii 96813. [Eff: 2/17/04; am OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), HRS §91-2) (Imp: HRS §91-2)

§23-6-38 Information - public transit supportive services. Information concerning the car-sharing program can be obtained by calling 768-8305, Monday through Friday, 7:45 a.m. to 4:30 p.m., excluding holidays. [Eff: OCT 03 2016 ] (Auth: RCH §§ 4-105.4, 6-1703(d), HRS §91-2) (Imp: HRS §91.2)

DEPARTMENT OF TRANSPORTATION SERVICES

Chapter 23-6, City and County of Honolulu Administrative Rules relating to the Public Transit Supportive Services – Car Sharing Program, was adopted on September 15, 2016, following a public hearing held on May 4, 2016, after public notice was given in the Honolulu Star-Advertiser on April 4, 2016.

The adoption of chapter 23-6 shall take effect ten (10) days after filing with the Office of the City Clerk.



MARK N GARRITY AICP  
Acting Director  
Department of Transportation Services

APPROVED



KIRK CALDWELL  
Mayor  
City and County of Honolulu

Dated: SEP 21 2016

APPROVED AS TO FORM  
AND LEGALITY:



DEPUTY CORPORATION  
COUNSEL

Filed this 23rd day of September, 2016



GLEN TAKAHASHI  
City Clerk

CERTIFICATION

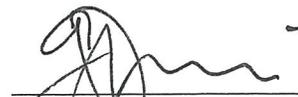
I, MARK N GARRITY, AICP, in my capacity as the Acting Director of the Department of Transportation Services, City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of the Rules and Regulations relating to the Public Transit Supportive Services – Car Sharing Program for the Department of Transportation Services, City and County of Honolulu, which were adopted on September 15, 2016 following a public hearing held on May 4, 2016, at the Mission Memorial Building Hearing Room, 550 South King Street, Honolulu, after public notice was given in the Honolulu Star-Advertiser on April 4, 2016.



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MARK N GARRITY, AICP  
Acting Director  
Department of Transportation Services

Received this 23rd day of  
September, 2016



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GLEN TAKAHASHI  
City Clerk