

OVERVIEW

THE AUDITOR
STATE OF HAWAII

Study of Transportation Services for Persons With Disabilities

Summary

Transportation for persons with disabilities has become a policy issue in Hawaii. Senate Concurrent Resolution No. 37, Senate Draft 1 of 1991 asked the State Auditor to (1) examine transportation policies relating to services to employment, medical care, and day care and (2) recommend policy changes to improve services and ensure compliance with federal law.

The federal, state, and county governments all play a role in providing these services. Two important federal laws—the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA)—prohibit discrimination against persons with disabilities and require transportation vehicles and facilities to be accessible to them. The State provides some services directly, but it serves mainly as a source of financial support for private and public agencies through purchase of service agreements, grants-in-aid, and contracts. The counties are the primary providers of transportation services for persons with disabilities, either directly or through private providers.

We found that there is no unified state policy on transportation services for persons with disabilities. Policies are scattered among many documents and sources, both legal and administrative. Created at different times and in response to different circumstances, these policies lack cohesion. There is no single statement clearly delineating the State's overall responsibility in this area. Similarly, county policies in this area are not unified or cohesive.

Final rules implementing the ADA were only recently issued by the U.S. Department of Transportation. The ADA mandates are quite detailed in requiring state and local governments to provide paratransit or other special services to persons with disabilities. We found that the State and the counties have not yet developed policies on transportation services to address the act. Thus we could not assess the extent to which state and county policies comply with the federal law. County plans for complying with the ADA would be an important first step in strengthening existing transportation policies and procedures.

Recommendations and Response

We recommend that the Legislature clarify the role of the State regarding its responsibility for supporting transportation services for persons with disabilities. This policy should be consistent with the Americans with Disabilities Act. We also recommend that the Legislature appropriate resources to the counties to augment and strengthen existing transportation services and help the counties meet the requirements of the ADA, while leaving operations with county and private providers. Several options were presented in the report on how the State and the counties could carry out their respective responsibilities.

The Department of Transportation, the City and County of Honolulu, the County of Kauai, the Commission on Persons with Disabilities, and the State Planning Council on Developmental Disabilities share our view that the state should finance and the counties should implement transportation services for persons with disabilities. Some agree with options set forth in our report--for example having the commission review and monitor county transportation plans--and some suggest other options such as grassroots development of a county plan with links to the Department of Transportation, or establishing a special transportation commission attached to the commission.

The Department of Health and the County of Maui did not submit responses to the draft of this report.

Marion M. Higa
Acting Auditor
State of Hawaii
Office of the Auditor
465 South King Street, Suite 500
Honolulu, Hawaii 96813
(808) 587-0800
FAX (808) 587-0830