

ORDINANCE NO. 5559

BILL NO. 81, FD2 (2023)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 11.03, MAUI COUNTY CODE, ESTABLISHING A FARE-FREE BUS PASS PROGRAM

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 11.03.010, Maui County Code, is amended to read as follows:

**“11.03.010 Fare structure.** A. Except as otherwise provided [under] in [subsection] subsections B[,] and C, bus fares [shall] apply to every person using the County bus system, and every person riding the County bus system [shall] must pay the applicable fare [set forth] in the annual County budget ordinance.

B. No bus fare [shall apply] applies to an infant riding on the lap of an accompanying adult, [provided] except that the adult may not carry more than one infant on the adult’s lap. [For purposes of this section, any infant not riding on the lap of an accompanying adult shall be considered a “child.”]

C. No bus fare applies to anyone who presents a valid fare-free bus pass.”

SECTION 2. Chapter 11.03, Maui County Code, is amended by adding a new section to read as follows:

**“11.03.015 Fare-free bus pass program.** A. A fare-free bus pass program is established. A fare-free bus pass must be issued upon application to anyone who is fifty-five years of age or older; is paratransit eligible; has a physician-certified disability fixed route card; has a medicare card; has a valid student identification card and is twenty-four years old or younger; or is demonstrating financial need.

B. The department may contract with a private party to be the director’s designee and administer the fare-free bus pass program, including the creation and distribution of application forms, processing of applications, determining qualifications for a

fare-free bus pass, and communicating to applicants about the status of their applications.

C. A person is demonstrating financial need under subsection A if they are a Maui County resident whose household income during the past calendar month or year was equal to or less than 200 percent of the poverty threshold in the most recent poverty guidelines for Hawai'i published by the United States Department of Housing and Human Services. The director or the director's designee must determine an applicant's income and residency by reviewing any reasonably reliable documentation submitted with the application, such as a household income verification; certification of financial need from a social service agency; or proof of the receipt of temporary assistance for needy families, supplemental nutrition assistance program benefits, or supplemental security income benefits.

D. The director or the director's designee must publish and make available to the public an application form that describes the fare-free bus pass program and qualification standards. The director or the director's designee must determine whether an applicant qualifies for a fare-free bus pass within twenty-one days after receiving a completed application and within seven days, issue a fare-free bus pass or provide written notice of denial and the reasons for denial. After receiving a denial notice, an applicant may submit additional information for the director to consider as to whether or not the qualifications set forth in subsection A have been satisfied. The director or the director's designee must determine whether an applicant is qualified for a fare-free bus pass within twenty-one days after receiving additional information to consider.

E. Anyone who receives a fare-free bus pass will remain qualified for the pass, without a new application, for twelve months."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



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MIMI DESJARDINS  
Department of the Corporation Counsel  
County of Maui

paf:jgk:23-244a

INTRODUCED BY:



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GABE JOHNSON

WE HEREBY CERTIFY that the foregoing BILL NO. 81, FD2 (2023)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 1st day of September, 2023, by the following vote:

Alice L. LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Tom COOK	Gabriel JOHNSON	Natalie A. KAMA	Tamara A. M. PALTIN	Keani N. W. RAWLINS-FERNANDEZ	Shane M. SINENCI	Nohelani U'U-HODGINS
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 6th day of September, 2023.

DATED AT WAILUKU, MAUI, HAWAII, this 6th day of September, 2023.

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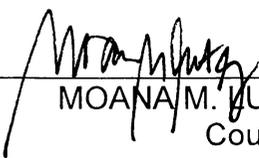
  
ALICE L. LEE, CHAIR  
Council of the County of Maui

  
MOANA M. LUTEY, COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS DAY OF September 6, 2023.

  
RICHARD T. BISSEN, JR. MAYOR  
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. **5559** of the County of Maui, State of Hawaii.

  
MOANA M. LUTEY, COUNTY CLERK  
County of Maui

Passed First Reading on August 22, 2023  
Effective date of Ordinance September 6, 2023

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OFFICE OF THE  
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. **5559**, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on  
  
County Clerk, County of Maui