Exhibit 4

NOTE: THIS DOCUMENT ONLY CONTAINS THE PROPOSED ADMINISTRATIVE RULES FOR DIGITAL ACCESSIBILITY IN PLACES OF PUBLIC ACCOMMODATION FOR READABILITY. CLICK HERE FOR THE FULL AMENDMENT AND COMPILATION OF CHAPTER 12-46 HAWAII ADMINISTRATIVE RULES.

Subchapter 10 Places of Public Accommodation, Digital Accessibility

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Subchapter 10 Places of Public Accommodation, Digital Accessibility

§12-46-201 General provisions. The purpose of this subchapter is to implement laws prohibiting discrimination in places of public accommodations toward the goal of eliminating unfair discrimination and to implement changes made by Act 257, Session Laws of Hawai‘i 2026, by establishing that it is an unlawful discriminatory practice for a place of public accommodation to deny a person with a disability full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation, or information related thereto, by requiring the use of information and communication technology that is not accessible to the person with a disability. This subchapter shall be liberally construed to further the purposes of Chapter 489, Hawai‘i Revised Statutes. [Eff and comp] (Auth: HRS §368-3, HRS §489; SLH 2026, Act 257, §2)(Imp: HRS §§368-1, 489-1)

§12-46-202 Definitions. As used in this subchapter, unless the context otherwise requires:

"Accessible" means that individuals with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same services as individuals without disabilities, with substantially equivalent ease of use.

"Archived web content" means web content that meets all of the following:

(1) It is maintained exclusively for reference, research, or recordkeeping purposes;

(2) It is not altered or updated after the date the covered entity is required to comply with this subpart; and

(3) It is organized and stored in a dedicated archive area of the covered entity's website.

"Conforming alternate version" means a second, accessible version of web content that provides the same information as the nonconforming version, is up to date as the non-conforming content, and can be reached from the nonconforming page or through an accessibility supported mechanism, and is defined by WCAG 2.1. See definition for "WCAG 2.1" under this subchapter.

"Conventional electronic document" means a file in a format such as Portable Document Format (PDF), word processor file formats, presentation file formats, or spreadsheet file formats.

"Covered entity" means a place of public accommodation as defined in section 489-2, HRS.

"Fundamental alteration" means a fundamental change to the essential nature, goods, services, or products of the place of public accommodation.

"Information and communication technology" means technology that is used in the creation, display, transmission, and storage of digital content, including but not limited to websites, web applications, mobile applications, kiosks, electronic documents, and software programs.

"Mobile app" means software that is downloaded or installed on mobile devices such as smartphones and tablets, and is used to access or receive the goods, services, or information of a covered entity.

"Person" has the same meaning as defined in section 489-2, HRS.

"Place of public accommodation" has the same meaning as defined in section 489-2, HRS.

"Protected basis" in this subchapter means any category listed in section 489-3, HRS.

"Self-service digital technology" means technology that is used by a place of public accommodation that requires its customers, clients, or visitors to interact with technology, including Quick Response codes (QR codes) connecting the user to a mobile app, to access the goods, services, facilities, privileges, advantages, or accommodations of the place of public accommodation.

"Social media" means web-based and digital

technologies that enable persons to engage in online social networking through web content creation.

"Undue financial and administrative burden" means significant expense and significant administrative burden for the place of public accommodation and is determined on a case-by-case basis. A determination of undue financial and administrative burden may include, but is not limited to, consideration of:

(1) Nature and net cost of compliance with §12-46-203;

(2) The overall financial resources of the place of public accommodation, the overall size of the place of public accommodation, and the number, type and location of the place of public accommodation; and

(3) The type of operation of the place of public accommodation, including the composition, structure and functions of the place of public accommodation, and administrative or fiscal relationship of other entities with the place of public accommodation.

"WCAG 2.1" means the Web Content Accessibility Guidelines, Version 2.1, published June 5, 2018, by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI). WCAG 2.1 is incorporated herein by reference. The standard is available from W3C WAI, 401 Edgewater Place, Suite 600, Wakefield, MA 01880; phone: (339) 273-2711; email: contact@w3.org; website: https://www.w3.org/TR/2018/REC-WCAG21-20180605/.

"Web content" means information and sensory experience communicated to the user by means of a web browser or other web-based technology, including but not limited to text, images, sounds, videos, controls, animations, and documents.[Eff and comp] (Auth: HRS §368-3, HRS §489; SLH 2026, Act 257, §2)(Imp: HRS §§368-1, 489-2)

§12-46-203 Requirements for web and mobile

app and digital accessibility. (a) General. A covered entity shall ensure that the following are readily accessible to and usable by individuals with disabilities:

(1) Web content that the covered entity provides or makes available, directly or through contractual, licensing, or other arrangements;

(2) Mobile apps that the covered entity provides or makes available, directly or through contractual, licensing, or other arrangements; and

(3) Self-service digital technology, when a place of public accommodation uses self-service digital technology that requires the general public to access the covered entity's goods, services, facilities, and products.

(b) Technical Standard.

(1) Beginning twenty-four months after effective date of final rule, a covered entity with one-hundred or more full-time and part-time employees shall ensure that the web content and mobile apps it provides or makes available, directly or through contractual, licensing, or other arrangements, comply with WCAG 2.1, Level A and Level AA success criteria and conformance requirements, unless the covered entity can demonstrate that compliance would result in a fundamental alteration in the nature of its goods, services, or accommodations, or in an undue financial and administrative burden, as defined in section 12-46-207.

(2) Beginning thirty-six months after effective date of final rule, all other covered entities shall ensure that the web content and mobile apps they provide or make available, directly or through contractual, licensing, or other arrangements, comply with WCAG 2.1, Level A and Level AA success criteria and conformance requirements, unless the covered entity can demonstrate that compliance would result in a fundamental alteration in the nature of its goods, services, or accommodations, or in an undue financial and administrative burden, as defined in section 12-46-207.

(3) WCAG 2.1 is incorporated by reference into this section and is defined in section 12-46-202. [Eff and comp] (Auth: SLH 2026, Act 257, §2; HRS §§ 368-3, 489)(Imp: HRS §§ 368-1, 489)

§12-46-204 Exceptions to web and mobile app accessibility. The requirements of §12-46-203, do not apply to the following:

(a) Archived web content. Archived web content, as defined in section 12-46-202, is exempt from the requirements of this subpart.

(b) Preexisting conventional electronic documents. Conventional electronic documents that are available as part of a covered entity's web content or mobile apps before the date the covered entity is required to comply with this subpart, unless such documents are currently used to apply for, gain access to, or participate in the covered entity's goods, services, or accommodations.

(c) Content posted by a third-party. Content posted by a third party on a covered entity's website or mobile app is exempt, unless the third party is posting due to contractual, licensing, or other arrangements with the covered entity.

(d) Individualized, password-protected, or otherwise secured conventional electronic documents. Conventional electronic documents that are:

(1) About a specific individual, their property, or their account; and

(2) Password-protected or otherwise secured.

(e) Preexisting social media posts. A covered entity's social media posts that were posted before the date the covered entity is not required to comply with section 12-46-203, however, any new posts or updated posts published on or after the compliance date must be accessible. [Eff and comp] (Auth: HRS §§368-3, 489; SLH 2026, Act 257, §2)(Imp:

HRS §§368-1, 489)

§12-46-205 Conforming alternate versions of web content. (a) A covered entity may use conforming alternate versions of web content, as defined by WCAG 2.1 to comply with section 12-46-203 only where it is not possible to make web content directly accessible due to technical or legal limitations.

(b) WCAG 2.1 is incorporated by reference into this section. The standard may be obtained from W3C WAI at the address and website listed in section 12-46-202. [Eff and comp] (Auth: HRS §368-3, HRS §489; SLH 2026, Act 257, §2)(Imp: HRS §§368-1, 489)

§12-46-206 Equivalent alternative methods of accessibility. (a) Nothing in this subpart prevents the use of designs, methods, or techniques as alternatives to those prescribed, provided that the alternative designs, methods, or techniques result in substantially equivalent or greater accessibility and usability of the web content or mobile app for individuals with disabilities.

(b) A covered entity that uses self-service digital technology, as defined in section 12-46-202, shall provide an alternative method of access, upon request, that:

(1) Meets the standard set forth in subsection (a); and

(2) Is available at or near the location of the self-service digital technology, without unreasonable delay. [Eff and comp] (Auth: HRS §368-3, HRS §489; SLH 2026, Act 257, §2)(Imp: HRS §§368-1, 489)

§12-46-207 Duties; Undue financial and administrative burden. (a) All covered entities shall make good faith efforts to comply with the requirements of section 12-46-203. Where a covered entity can demonstrate that compliance with the requirements of section 12-46-203 would result in a fundamental alteration in the nature of its goods, services, or accommodations of the place of public accommodation, the covered entity must comply to the extent that it does not result in such a fundamental alteration or result in an undue financial and administrative burden.

(b) A covered entity bears the burden of demonstrating that full compliance would result in a fundamental alteration or undue financial and administrative burden.

(c) The determination that compliance would result in a fundamental alteration or undue burden must be:

(1) Made by a responsible official or senior officer of the covered entity after considering all resources available to the covered entity for use in providing the goods, services, or accommodations at issue; and

(2) Accompanied by a written statement of the reasons for reaching the conclusion that compliance with §12-46-203 would result in a fundamental alteration or undue financial and administrative burden. This written statement must be retained by the covered entity and made available to the Commission. If requested by an individual, the covered entity may provide an individual with a copy of the written statement with proprietary information redacted.

(d) Where full compliance with §12-46-203 is not required under this section, the covered entity shall take any other action that would not result in a fundamental alteration or undue burdens but would nevertheless ensure that individuals with disabilities receive substantially equivalent access to the covered entity's goods, services, or accommodations to the

maximum extent feasible. [Eff and comp] (Auth: HRS §368-3, HRS §489; SLH 2026, Act 257, §2)(Imp: HRS §§368-1, 489)

§12-46-208 Enforcement; Private right of action. (a) Any person who believes that a covered entity has committed an unlawful discriminatory practice in violation of chapter 489, HRS, and this subpart may file a complaint with the Commission alleging a violation of chapter 489, HRS. The Commission shall process such complaints pursuant to its authority under chapter 489, HRS, using its procedural rules under chapter 368, HRS, and its administrative rules found in title 12, chapter 46, subchapter 1.

(b) Remedies, Commission. Upon a finding that a covered entity has committed an unlawful discriminatory practice in violation of chapter 489, HRS, and this subpart, the Commission may order any remedy available under chapters 368 and 489, HRS, including but not limited to:

(1) Cease and desist orders requiring the covered entity to bring its web content and mobile apps into compliance with WCAG 2.1, Level AA, within a reasonable time specified by the Commission;

(2) Compensatory damages to the complainant for any actual injury suffered as a result of the unlawful discriminatory practice; and

(3) Such other relief as the Commission deems just and appropriate under chapter 489, HRS.

(c) Private Right of Action. Any individual aggrieved by an unlawful discriminatory practice in violation of chapter 489, HRS, and this subpart may bring a civil action in the circuit court of the State of Hawaii. The claim shall be styled as a violation of chapter 489, HRS, as implemented by this subpart.

(1) Statute of limitations. Any private action under this section must be filed within the limitations period applicable to claims under

chapter 489, HRS.

(2) Available remedies. In a private action under this section, a court may award remedies as provided under Section 489-7.5, HRS.[Eff and comp] (Auth: SLH 2026, Act 257, §2; HRS §§ 368-17, 489)(Imp: HRS §§ 368-1, 489-7.5)