

A Printout of the Status of

BILLS THAT  
PASSED THE LEGISLATURE AND WERE  
REPORTED FROM THE  
SENATE TRANSPORTATION & INTERNATIONAL AFFAIRS COMMITTEE

(includes those bills where this committee is part of a joint committee)

As of: May 5, 2011

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**LEGISLATIVE REFERENCE BUREAU SYSTEMS OFFICE**

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on: May 5, 2011

*Caveat: While all data are believed accurate, they are subject to change pending confirmation against official records kept by the respective Chief Clerk's offices.*

## BILLS THAT PASSED THE LEGISLATURE & WERE REPORTED FROM TIA

- HB0424 SD1 (SSCR 879) RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.  
Introduced by: Morita H  
Amends Act 87, session laws of 2009, establishing provisions relating to exception to applicability of chapter under environmental impact statements law by extending the sunset date to July 1, 2013. Requires the office of environmental quality control to report to the legislature. -- HB0424 SD1  
Committee Reports: HSCR 109 (EEP/WLO/) HSCR 716 (FIN) SSCR 879 (TIA) SSCR 1194 (ENE)  
Current Status: Apr-18 11 Received by the Governor
- HB0775 RELATING TO THE PHOTO ENFORCEMENT REVOLVING FUND.  
Introduced by: Say C  
Requires all moneys in or credited to the photo enforcement revolving fund repealed by Act 58, session laws of 2002, to be transferred to the general fund. -- HB0775  
Committee Reports: HSCR 268 (TRN) HSCR 746 (FIN) SSCR 883 (TIA) SSCR 1081 (WAM)  
Current Status: Apr-13 11 Received by the Governor  
Apr-28 11 Approved by Governor (Act 27 2011)
- HB1039 HD1 SD2 CD1 (CCR 141) RELATING TO TRANSPORTATION.  
Introduced by: Say C (BR)  
Amends Act 33, special session laws of 2009, requires the governor or the director of transportation if so directed by the governor to have the discretion and authority to provide additional relief to airport concessions that do not have a self adjusting lease formula as of March 31, 2011. Extends the sunset date to July 1, 2013 (sunset). Amends provisions relating to the rental motor vehicle and tour vehicle surcharge tax. Increases the rental motor vehicle surcharge tax a day rate, except that after June 30, 2012, the tax shall be 3 dollars a day. -- Amends provisions relating to remittances. Requires the department to deposit the money into the state treasury to the credit of the state highway fund; provided that of the rental motor vehicle surcharge taxes assessed and collected, the equivalent of 4.50 dollars of the tax assessed and collected per day to be deposited into the state treasury to the credit of the general fund. Repealed on June 30, 2012 (sunset). Amends provisions relating to operation and use privileges. Repeals provisions that allows the department to establish, levy, assess, and collect rental motor vehicle customer facility charges. Repealed on June 30, 2012 (sunset). -- HB1039 CD1  
Committee Reports: HSCR 456 (TRN) HSCR 891 (FIN) SSCR 886 (TIA) SSCR 1243 (WAM) CCR 141  
Current Status: May-03 11 Passed Legislature
- HB1093 HD1 SD2 (SSCR 1227) RELATING TO COMMERCIAL DRIVER LICENSING.  
Introduced by: Say C (BR)  
Amends provisions relating to commercial driver licensing. Provides that it is unlawful for any person with an alcohol concentration of 0.04 or more grams of alcohol per 210 liters of breath or with 0.04 or more grams of alcohol per 100 milliliters or cubic centimeters of blood to drive a commercial driver licensing. -- HB1093 SD2  
Committee Reports: HSCR 128 (TRN) HSCR 652 (JUD) SSCR 880 (TIA) SSCR 1227 (JDL)  
Current Status: Apr-25 11 Received by the Governor
- HB1094 HD1 SD2 CD1 (CCR 51) RELATING TO COMMERCIAL DRIVER LICENSING.  
Introduced by: Say C (BR)  
Amends provisions relating to commercial driver's license qualification standards. Provides that as of January 30, 2012, the examiner of drivers is to make certain that the medical certification status of a driver that self certified is certified, and if the driver submits a current medical examiner's certificate, shall date stamp the certificate and post all required information to the commercial driver's license information system. -- Amends provisions relating to commercial driver's license. Provides that a commercial drivers' license may be issued with endorsements and restrictions indicating there is information about a medical variance on the commercial driver's license information system driver record and "W" restricts the driver from operating in interstate commerce. Amends the title of disqualification and cancellation by adding downgrade. Provides that beginning January 30, 2014, if a driver fails to provide the examiner of drivers with the certification contained in the federal driver application procedures guideline or a current medical examiner's certificate if the driver self certifies according to the federal driver application procedures guideline that he or she is operating in non excepted interstate

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commerce, the examiner of drivers must mark the commercial driver's license information system driver record as not certified and initiate a commercial driver's license downgrade. -- Amends provisions relating to notification of disqualification, suspension, revocation, cancellation, by adding marking medical certification status not certified, or downgrading of commercial driver's licenses or permits. Beginning January 30, 2012, the examiner of drivers must, within 10 calendar days update the medical certification status of a driver and to include the medical variance information provided by the federal motor carrier safety administration. Provides that beginning January 30, 2014, if a driver fails to provide the examiner of drivers with certification or a current medical examiner's certificate if the driver is self certified that he or she is operating in non excepted interstate commerce, the examiner of drivers must mark the record as not certified and initiate a commercial driver's license downgrade. -- Amends provisions relating to authority of examiner of drivers to suspend, revoke or cancel, by adding mark the medical certification status as not certified or downgrade commercial driver's license or permit. Allows the examiner of drivers to suspend, revoke, cancel, mark medical certificate status not certified or downgrade any commercial driver's license or permit without a hearing when the examiner has probable cause to believe that the licensee is disqualified. -- Amends provisions relating to driver record information to be recorded and furnished. Requires the examiner beginning January 30, 2012, to record and maintain as part of the driver's record pertinent medical information. -- HB1094 CD1  
Committee Reports: HSCR 173 (TRN) HSCR 653 (JUD) SSCR 875 (CPN/ TIA/ SSCR 1262 (JDL) CCR 51  
Current Status: May-03 11 Passed Legislature

HB1241 HD2 SD2 CD1 (CCR 52)

RELATING TO ABANDONED VEHICLES.

Introduced by: Souki J, Ichiyama L

Amends provisions relating to notice to owner under the abandoned vehicles law. -- Extends the time that a legal and registered owner of an abandoned vehicle has to repossess the vehicle from 10 days to 20 days after mailing of the notice. Defines business days to exclude Saturdays, Sundays and state holidays. -- HB1241 CD1

Committee Reports: HSCR 427 (TRN) HSCR 814 (JUD) SSCR 854 (TIA/ CPN/ SSCR 1221 (JDL) CCR 52

Current Status: May-03 11 Passed Legislature

HB1568 HD2 SD2 CD1 (CCR 142)

RELATING TO AGRICULTURE.

Introduced by: Tsuji C, Souki J, Hashem M, Yamashita K, Chong P, Choy I, Brower T, Tokioka J, Awana K

Establishes provisions relating to biosecurity, inspection, and cargo support facilities. Requires the department transportation to coordinate with the department of agriculture to facilitate the inspection, consolidation, deconsolidation, and treatment of imported and exported agriculture and other inspected commodities to meet the needs of each island and to facilitate the safe movement of enplaned and deplaned air cargo through the airports. -- Establishes provisions relating to biosecurity, inspection, and cargo support facilities. Requires the department of transportation to provide space at commercial harbors for biosecurity and inspection facilities and to facilitate the safe and efficient movement of maritime cargo through the commercial harbors. Further requires the department and department of agriculture to plan, design, and construct biosecurity, inspection, consolidation, deconsolidation, and treatment facilities for use by the department of agriculture to enhance the efficient and safe movement of imported and exported marine cargo, to include food safe and food security guidelines and standards. -- HB1568 CD1

Committee Reports: HSCR 461 (TRN/ AGR/) HSCR 738 (FIN) SSCR 882 (TIA/ AGL/ SSCR 1250 (WAM) CCR 142

Current Status: May-03 11 Passed Legislature

SB0035

RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.

Introduced by: Baker R

Amends provisions relating to procedures, protections, rights, and remedies made available to licensees under the motor vehicle industry licensing act. Repeals the definition of good faith. -- SB0035

Committee Reports: SSCR 53 (TIA) SSCR 517 (CPN) HSCR 1010 (TRN) HSCR 1439 (CPC)

Current Status: Apr-12 11 Received by the Governor  
Apr-25 11 Approved by Governor (Act 13 2011)

SB0098 SD2 HD1 CD1 (CCR 1)

RELATING TO WATER CARRIERS.

## BILLS THAT PASSED THE LEGISLATURE & WERE REPORTED FROM TIA

Introduced by: Baker R, Tsutsui S, Kouchi R, Green J, Chun Oakland S, Espero W  
Establishes provisions relating to notice of hearing required under the Hawaii water carrier act. Requires the public utilities commission to provide reasonable notice whenever the commission conducts a public hearing on an application for a certificate of public convenience and necessity. -- Requires notice to be provided at least 30 before the date fixed by the commission for the public hearing. Prohibits the commission to approve an application or otherwise grant authorization to an application to operate as a water carrier until the commission has given notice and held public hearings. Further prohibits the commission to make finding of public convenience and necessity or issue an authorization, whether interim, permanent, or otherwise, to operate as a water carrier without specific findings supported by evidence in the record. Further prohibits the commission to make a finding of public convenience and necessity nor issue a certificate if the evidence in the record indicates that the issuance of the certificate would diminish an existing water carrier's ability to realize its allowed rate of return or if the certificate would allow an applicant to serve only high margin or high profit ports or lines of service that are currently served by an existing carrier. Further prohibits the commission to issue any certificate that is designated as interim or temporary or does not conform to the requirements except in response to an emergency situation. Requires the commission to post a link on the front page of the commission's website to a publicly accessible electronic version of each application for a certificate and to each order of the commission regarding posted applications, including the final decision and order and remain active for at least 30 days from the filing of the application or the issuance of the order or decision and order. -- SB0098 CD1

Committee Reports: SSCR 237 (TIA) SSCR 692 (CPN) HSCR 1030 (TRN/ CPC/)  
HSCR 1560 (FIN) CCR 1

Current Status: Apr-25 11 Received by the Governor

SB0146 SD1 HD2 CD1 (CCR 135)

RELATING TO BIOFUEL.

Introduced by: Dela Cruz D, Kouchi R, Fukunaga C, Wakai G, Nishihara C, Tsutsui S, Galuteria B

Requires the energy resources coordinator to conduct a study and issue a report on the potential for biofuel production in Hawaii to displace a significant amount of petroleum based liquid fuel. Report to the legislature. -- SB0146 CD1

Committee Reports: SSCR 551 (ENE/ TIA/ WAM/) HSCR 1154 (EEP) HSCR 1538  
(FIN) CCR 135

Current Status: May-03 11 Passed Legislature

SB0698 SD2 HD1 (HSCR 1121)

RELATING TO ROADWAY MATERIALS.

Introduced by: Dela Cruz D

Amends provisions relating to construction projects, roadway materials; recycled glass content requirements. Allows, rather than requires, state agencies to purchase roadway materials with a minimum recycled glass content. -- SB0698 HD1

Committee Reports: SSCR 252 (TIA) SSCR 530 (WAM) HSCR 1121 (EEP/ TRN/)  
HSCR 1581 (FIN)

Current Status: Apr-18 11 Received by the Governor  
Apr-27 11 Approved by Governor (Act 22 2011)

SB0823 SD1 HD1 (HSCR 1161)

RELATING TO PROCUREMENT.

Introduced by: English J, Tsutsui S

Amends provisions relating to chief procurement officers. Makes the director of a semi autonomous county public transit agency a chief procurement officer of the county. -- SB0823 HD1

Committee Reports: SSCR 47 (PGM/ TIA/) SSCR 647 (WAM) HSCR 1161 (TRN/)  
ERB/) HSCR 1565 (FIN)

Current Status: Apr-21 11 Received by the Governor

SB1325 SD1 HD1 (HSCR 1465)

RELATING TO MOTOR VEHICLE REGISTRATION.

Introduced by: Tsutsui S (BR)

Amends provisions relating to highway safety. Allows the county director of finance to register a motorcycle with an after market motorcycle frame, using the number of the frame as issued by the manufacturer of the frame, the vehicle identification number on the certification label, or a vehicle identification number assigned by the director of finance. -- SB1325 HD1

Committee Reports: SSCR 44 (TIA) SSCR 524 (CPN) HSCR 1109 (TRN) HSCR 1465  
(JUD)

Current Status: Apr-21 11 Received by the Governor

## BILLS THAT PASSED THE LEGISLATURE & WERE REPORTED FROM TIA

- SB1327 SD2 HD1 (HSCR 1163) RELATING TO PASSENGER FACILITY CHARGES.  
Introduced by: Tsutsui S (BR)  
Amends provisions relating to operation and use privileges under aeronautics. Allows the departments of transportation to assess passenger facility charges for each overseas or international passenger who uses a state airport. Requires the department to establish the charges in accordance with applicable federal laws and regulations. Prohibits passenger charge to be assessed on flight segments between 2 or more airports within the State. -- SB1327 HD1  
Committee Reports: SSCR 13 (TIA) SSCR 672 (WAM) HSCR 1163 (TRN) HSCR 1566 (FIN)  
Current Status: Apr-18 11 Received by the Governor  
May-04 11 Approved by Governor (Act 41 2011)
- SB1328 SD1 HD2 CD1 (CCR 102) RELATING TO MOTOR VEHICLE REGISTRATION.  
Introduced by: Tsutsui S (BR)  
Amends provisions relating to the State registration fee. Increases the motor vehicle registration fee and the amount deposited into state highway fund. -- SB1328 CD1  
Committee Reports: SSCR 12 (TIA) SSCR 636 (WAM) HSCR 1111 (TRN) HSCR 1562 (FIN) CCR 102  
Current Status: May-03 11 Passed Legislature
- SB1329 SD1 HD2 CD1 (CCR 103) RELATING TO MOTOR VEHICLE WEIGHT TAX.  
Introduced by: Tsutsui S (BR)  
Increases state vehicle weight taxes. -- SB1329 CD1  
Committee Reports: SSCR 15 (TIA) SSCR 683 (WAM) HSCR 1164 (TRN) HSCR 1563 (FIN) CCR 103  
Current Status: May-03 11 Passed Legislature
- SB1416 SD1 HD1 (HSCR 1031) RELATING TO HIGHWAY SAFETY.  
Introduced by: Kim D, Dela Cruz D, Kidani M, Shimabukuro M, English J, Chun Oakland S, Green J  
Amends provisions relating to certificates of inspection. Requires all other vehicles, including motorcycles, trailers, semitrailers, and pole trailers have a gross vehicle weight rating of 10,000 pounds or less, and antique motor vehicles are to be certified every 12 months; provided that any vehicle to which this law applies is not to require inspection within 3 years of the date on which the vehicle was 1st sold. -- SB1416 HD1  
Committee Reports: SSCR 11 (TIA) SSCR 535 (WAM) HSCR 1031 (TRN) HSCR 1441 (JUD)  
Current Status: Apr-18 11 Received by the Governor