

STAND. COM. REP. NO.

1674

Honolulu, Hawaii
APR 05 2007

RE: H.B. No. 1608
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1608, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to give the Governor, the
Director of Transportation, a Mayor or a Director of
Transportation of a county emergency powers when a substantial
endangerment to public health and safety is or will be caused by
the temporary closure of, or the lack of access to, an area by a
state highway, which requires immediate action.

Your Committee received testimony from two organizations and
one private individual. The Department of Transportation
supported the bill whereas the private individual supported the
bill with suggested amendments. The State Procurement Office
opposed the current language of the bill that exempted all
contracts for a traffic emergency zone from the Procurement Code.

The measure has been amended by the following:

- (1) Changed language in subsection (b) of section 264- to
require procurement pursuant to section 103D-307, Hawaii
Revised Statutes (HRS), as requested by the Chief
Procurement Officer;
- (2) Added language for the State or county to indemnify the
owner of a cane haul road from any liability that may

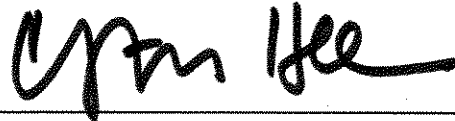


arise out of the use of such cane haul road when designated as a state highway;

- (3) Added two new definitions for "county highway" and "state highway" and referenced these terms to existing definitions; and
- (4) Provided language to have each designation of a traffic emergency zone expire within five years.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1608, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1608, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1608 SDI	TIA, JDL	4/5/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUYE, Lorraine R.				/
NISHIHARA, Clarence K.	/			
GABBARD, Mike	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes