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# A BILL FOR AN ACT

RELATING TO THE HAWAII MARINE HIGHWAY SYSTEM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that residents of the  
2 state depend almost exclusively on air transportation when  
3 traveling from one island to another. Transportation by ferry  
4 routes, however, remains an alternative, especially as the cost  
5 of air transport continues to increase and given the recent  
6 turmoil faced by local air carriers. Technology has also  
7 advanced to the point where passenger and cargo water transport  
8 can be fast and relatively comfortable.

9           The legislature finds that federal funding may become  
10 available to assist a state that has a marine highway system in  
11 place, such as Alaska. Alaska has designated a "highway" to  
12 include "a ferry system, whether operated solely inside the  
13 State or to connect with a Canadian highway, and any such  
14 related facility."

15           The purpose of this Act is to establish the Hawaii marine  
16 highway system to be administered under the department of  
17 transportation.



1 SECTION 2. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4 "CHAPTER

5 HAWAII MARINE HIGHWAY SYSTEM

6 § -1 Hawaii marine highway system; comprehensive long-  
7 range plan. The department of transportation shall develop a  
8 comprehensive long-range plan for the development and  
9 improvement of the Hawaii marine highway system and shall revise  
10 and update that plan at least every five years. The department  
11 shall submit:

12 (1) The long-range comprehensive plan to the legislature  
13 at least twenty days prior to the convening of the  
14 regular session of 2012; and

15 (2) Revisions and updates to the plan to the legislature  
16 at least twenty days prior to the convening of each  
17 regular session every five years thereafter.

18 § -2 Acquisition and maintenance of ferry terminal  
19 facilities; rules. (a) The department of transportation shall  
20 construct, purchase, or lease ferry terminal facilities in  
21 Honolulu harbor on the island of Oahu, Nawiliwili harbor on the  
22 island of Kauai, Kahului harbor on the island of Maui, and



1 Kawaihae harbor on the island of Hawaii for the loading and  
2 unloading of passengers and vehicles under their own power, onto  
3 and off ferries. The department shall repair and maintain such  
4 facilities.

5 (b) The department may connect ferry terminal facilities  
6 with local highway systems.

7 (c) The department shall adopt rules in accordance with  
8 chapter 91 to implement this chapter, including rules to govern  
9 the use of ferry terminal facilities by the public and the  
10 charging of fees for the use of ferry terminal facilities.

11 **§ -3 Hawaii marine highway system fund.** (a) There is  
12 created the Hawaii marine highway system fund in the State  
13 treasury to be administered by the department of transportation  
14 into which shall be deposited:

15 (1) The gross revenue of the Hawaii marine highway system;

16 (2) Legislative appropriations to the Hawaii marine  
17 highway system fund; and

18 (3) Gifts or grants from any public or private sources,  
19 including federal funds.

20 For the purposes of this section, "gross revenue" means all  
21 money, except money refunded to ticket holders and others for  
22 unused services, that is generated from the operation of the



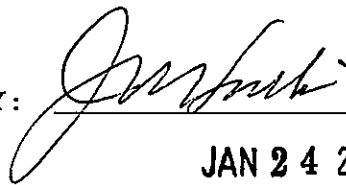
1 Hawaii marine highway system, including that derived from vessel  
2 operations and use of the Hawaii marine highway system's  
3 facilities.

4 (b) The moneys in the Hawaii marine highway system fund  
5 shall be expended only for the operation and maintenance of the  
6 Hawaii marine highway system."

7 SECTION 3. This Act shall take effect on July 1, 2011.

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INTRODUCED BY: \_\_\_\_\_



JAN 24 2011



**Report Title:**

Hawaii Marine Highway System; Establishment

**Description:**

Creates the Hawaii Marine Highway System to be administered by the Department of Transportation (DOT). Creates the Hawaii Marine Highway System Fund. Requires DOT to adopt rules.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

