

JAN 24 2013

---

---

# A BILL FOR AN ACT

RELATING TO HIGHWAYS.

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

1           SECTION 1. The purpose of this Act is to establish a task  
2 force to determine the feasibility of transferring all state  
3 highway functions to the counties, including making each county  
4 responsible for the highways that are located in that county,  
5 and transferring funding for state highways to the counties.

6           SECTION 2. (a) There is established a task force to  
7 determine the feasibility of transferring functions and funds  
8 with respect to state highways to the counties. The task force  
9 shall be administered by the state department of transportation.  
10 The department of transportation shall convene the task force no  
11 later than October 1, 2013.

12           (b) The task force shall be composed of:

13           (1) One member of the United States Congress representing  
14 Hawaii, or a designee;

15           (2) The state director of transportation, or a designee,  
16 who shall serve as the chairperson of the task force;

17           (3) The four county directors having jurisdiction over  
18 transportation services, or their designees;



- 1           (4) One person appointed by the governor;
- 2           (5) The chairpersons of the house of representatives
- 3                 standing committees having jurisdiction over
- 4                 transportation and intergovernmental affairs, or their
- 5                 designees appointed by the speaker of the house of
- 6                 representatives; and
- 7           (6) The chairpersons of the senate standing committees
- 8                 having jurisdiction over transportation and
- 9                 intergovernmental affairs, or their designees
- 10                appointed by the president of the senate.

11           (c) In carrying out its duties under this section, the  
12 task force may request staff assistance from the state  
13 department of transportation and other appropriate state and  
14 county executive agencies.

15           (d) The members of the task force shall serve without  
16 compensation but shall be reimbursed for expenses, including  
17 travel expenses, necessary for the performance of their duties.

18           (e) The task force shall study and determine the  
19 feasibility of transferring functions and funding related to the  
20 state highways to the counties; provided that the study shall  
21 review the following implementation issues:

- 22           (1) Formulating a timetable for the transfer of functions;



- 1 (2) Providing timetable compliance monitoring;
- 2 (3) Ensuring that appropriations for specific highway
- 3 projects are transferred to the counties;
- 4 (4) Providing for the transfer of all contracts relating
- 5 to state highways to the counties;
- 6 (5) Ensuring that all federal and state funds are fully
- 7 allocated in the course of the transfer;
- 8 (6) Ensuring that all unexpended and unencumbered balances
- 9 appropriated out of the state highway fund, or out of
- 10 the proceeds of general obligation bonds and issued
- 11 for highway-related capital improvement projects, are
- 12 transferred to each of the counties and do not lapse;
- 13 (7) Reviewing all relevant county ordinances and state
- 14 statutes, including the following statutes for
- 15 possible amendment: sections 27-31, 28-9, 36-28,
- 16 36-31(b), 39-94, 171-52(d), 205A-26(3)(D), 248-8,
- 17 248-9, 248-10, 248-12, 249-31, 249-33(b), 251-5, 264-1
- 18 to 264-102, 279A-2(1), 279A-7(1), 279E-1, 286-5,
- 19 286-6, 286-111(b), 286-209(c), 286-216, 291-35,
- 20 291-37(a), 291C-104(c), 291C-149(b), and 291C-163(b),
- 21 Hawaii Revised Statutes;



1 (8) Resolving any other issues relating to the transfer of  
2 functions and funding to the counties to ensure the  
3 timely and efficient transfer of responsibility of the  
4 state highway system; and

5 (9) Conducting a comprehensive review of the functions of  
6 the state division of highways and the transportation  
7 functions of the counties to determine the pros and  
8 cons of consolidation, with recommendations relating  
9 to the feasibility of a transfer.

10 (f) The state director of transportation shall submit a  
11 report of the activities of the task force, including  
12 recommendations and proposed legislation, to the legislature no  
13 later than twenty days prior to the convening of the 2014  
14 regular session.

15 (g) The task force shall be dissolved on June 30, 2014.

16 SECTION 3. This Act shall take effect on July 1, 2013.

17

INTRODUCED BY:

John Hernandez K.  
J. L. G. J.



# S.B. NO. 1299

**Report Title:**

State Highways; Transfer to Counties; Task Force

**Description:**

Creates a task force within the department of transportation to determine the feasibility of the transfer of all state highway functions and funding to counties. Directs the task force to establish a timetable for the transfer of highway related functions, review relevant highway related statutes and ordinances for possible revision, and conduct a comprehensive review of the state and county transportation functions to determine the pros and cons of consolidation. Requires the director of transportation to report to the Legislature.

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

