

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

1           SECTION 1. The legislature finds that general contractors  
2 are permitted under current law to also act as specialty  
3 licensed contractors. The legislature further finds that  
4 allowing general contractors that are not also licensed as  
5 specialty contractors to engage in doing specialty work poses a  
6 risk to public safety. Specialty contractor licenses are  
7 intended to ensure that the work meets industry standards for  
8 each specialty.

9           The purpose of this Act is to require general engineering  
10 contractors and general building contractors to engage  
11 subcontractors with appropriate specialty licenses to complete  
12 incidental work.

13           SECTION 2. Section 444-1, Hawaii Revised Statutes, is  
14 amended by adding a new definition to be appropriately inserted  
15 and to read as follows:

16           "Incidental work" means any work directly related to a  
17 larger or major project or operation that requires a specialty  
18 contractor license held by a general engineering contractor,



1 general building contractor, or specialty contractor and for  
2 which the aggregate subcontract price for labor, materials,  
3 taxes, and all other items is not more than one half per cent of  
4 the total contract."

5 SECTION 3. Section 444-7, Hawaii Revised Statutes, is  
6 amended by amending subsections (b) and (c) to read as follows:  
7 "(b) A general engineering contractor is a contractor  
8 whose principal contracting business is in connection with fixed  
9 works requiring specialized engineering knowledge and skill,  
10 including the following divisions or subjects: irrigation,  
11 drainage, water power, water supply, flood control, inland  
12 waterways, harbors, docks and wharves, shipyards and ports, dams  
13 and hydroelectric projects, levees, river control and  
14 reclamation works, railroads, highways, streets and roads,  
15 tunnels, airports and airways, sewers and sewage disposal plants  
16 and systems, waste reduction plants, bridges, overpasses,  
17 underpasses and other similar works, pipelines and other systems  
18 for the transmission of petroleum and other liquid or gaseous  
19 substances, parks, playgrounds and other recreational works,  
20 refineries, chemical plants and similar industrial plants  
21 requiring specialized engineering knowledge and skill,  
22 powerhouses, power plants and other utility plants and



1 installations, mines and metallurgical plants, land [~~levelling~~]  
2 leveling and earth-moving projects, excavating, grading,  
3 trenching, paving and surfacing work and cement and concrete  
4 works in connection with the above mentioned fixed works.

5 A general engineering contractor shall engage  
6 subcontractors that hold appropriate specialty licenses to do  
7 incidental work.

8 (c) A general building contractor is a contractor whose  
9 principal contracting business is in connection with any  
10 structure built, being built, or to be built, for the support,  
11 shelter, and enclosure of persons, animals, chattels, or movable  
12 property of any kind, requiring in its construction the use of  
13 more than two unrelated building trades or crafts, or to do or  
14 superintend the whole or any part thereof.

15 A general building contractor shall engage subcontractors  
16 that hold appropriate specialty licenses to do incidental work."

17 SECTION 4. Section 444-9, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§444-9 Licenses required.** No person within the purview  
20 of this chapter shall act, or assume to act, or advertise, as  
21 general engineering contractor, general building contractor, or  
22 specialty contractor without a license previously obtained under



1 and in compliance with this chapter and the rules and  
2 regulations of the contractors license board. A general  
3 engineering contractor or general building contractor shall not  
4 perform incidental work and supplemental work."

5 SECTION 5. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: Mark D. Lee  
my request →



**Report Title:**

Contractors; Licensing; Specialty Contractors

**Description:**

Prohibits general engineering contractors and general building contractors from performing incidental or supplemental work. Requires general engineering contractors and general building contractors to engage an appropriate specialty contractor to perform incidental work. Defines incidental work.

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

