
A BILL FOR AN ACT

RELATING TO CONCESSIONS.

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

1 SECTION 1. The legislature finds that the rapid
2 development of technology has altered the way in which
3 advertising and sales are rendered. Similarly, communications
4 technology evolves quickly to accommodate changing needs for
5 connectivity and compatibility with personal hardware. Thus,
6 flexible procedures are needed for government contracting to
7 ensure efficiency and best economic results.

8 The purpose of this Act is to provide government agencies
9 with flexibility in the negotiation of concession contracts,
10 specifically those that involve various evolving media
11 communication technology and advertising.

12 SECTION 2. Section 102-2, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) The bidding requirements of subsection (a) shall not
15 apply to concessions or space on public property set aside for
16 the following purposes:



- 1 (1) For operation of ground transportation services and
2 parking lot operations at airports, except for motor
3 vehicle rental operations under chapter 437D;
- 4 (2) For lei vendors;
- 5 (3) For airline and aircraft operations;
- 6 (4) For automatic teller machines and vending machines,
7 except vending machines located at public schools
8 operated by blind or visually handicapped persons in
9 accordance with section 302A-412;
- 10 (5) For operation of concessions set aside without any
11 charge;
- 12 (6) For operation of concessions by handicapped or blind
13 persons; except concessions operated in the public
14 schools by blind or visually handicapped persons in
15 accordance with section 302A-412;
- 16 (7) For operation of concessions on permits revocable on
17 notice of thirty days or less; provided that no such
18 permits shall be issued for more than a one year
19 period;
- 20 (8) For operation of concessions or concession spaces for
21 a beach service association dedicated to the
22 preservation of the Hawaii beach boy tradition,



- 1 incorporated as a nonprofit corporation in accordance
2 with state law, and whose members are appropriately
3 licensed or certified as required by law;
- 4 (9) For operation of concessions at county zoos, botanic
5 gardens, or other county parks which are
6 environmentally, culturally, historically, or
7 operationally unique and are supported, by nonprofit
8 corporations incorporated in accordance with state law
9 solely for purposes of supporting county aims and
10 goals of the zoo, botanic garden, or other county
11 park, and operating under agreement with the
12 appropriate agency solely for such purposes, aims, and
13 goals;
- 14 (10) For operation of concessions that furnish goods or
15 services for which there is only one source, as
16 determined by the head of the awarding government
17 agency in writing that shall be included in the
18 contract file; [~~and~~]
- 19 (11) For any of the operations of the Hawaii health systems
20 corporation and its regional system boards[-];
- 21 (12) For airport operation of concessions providing
22 electronic communication services;



1 (13) For airport operation of concessions consisting solely
2 of advertising;

3 (14) For the stadium authority operation of concessions
4 providing electronic communication services; and

5 (15) For the stadium authority operation of concessions
6 consisting solely of advertising."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Contracts for Concessions; Public Concessions; Airports; Stadium Authority

Description:

Exempts the airport and stadium authority operation of concessions for electronic communication services and solely for advertising from the public concession bidding process.
Effective 7/1/2050. (SD2)

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