

Honolulu, Hawaii

APR 22 2014

RE: S.B. No. 2901  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2901, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to facilitate expedient compliance with federal motor carrier safety regulations by amending or deleting statutory provisions containing federal requirements that are currently addressed in the Hawaii Administrative Rules or are otherwise unnecessary.

Your Committee on Conference finds that serious financial penalties can be incurred when a state does not comply with certain federal motor carrier safety regulations. Adopting these regulations by reference in administrative rules is expedient and facilitates accuracy in compliance. When placing these regulations in the Hawaii Revised Statutes, there is a possibility for



noncompliance to result when numerous legislative measures are drafted and enacted. To ensure exact compliance and avoid the possibility of a contradiction between rules and statutes, the Department recommends deleting statutes and provisions of the statutes whenever they are addressed in administrative rules or otherwise deemed unnecessary.

Your Committee on Conference has amended this measure by:

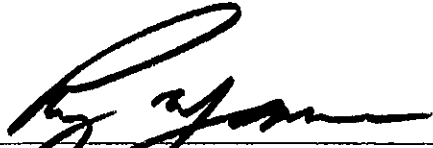
- (1) Upon the recommendation of the Department of Transportation to avoid the loss of five percent of the State's federal-aid highway funds, specifying that the exemption from the Motor Carrier Safety Law for passenger carrying vehicles with a gross vehicle weight of 10,000 pounds or less used in car or van pools applies if the vehicles are used to transport less than sixteen individuals; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2901, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2901, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


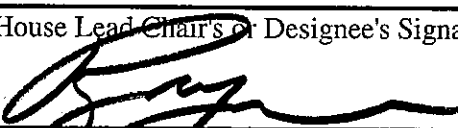
  
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 RYAN I. YAMANE, Co-Chair

  
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 KARL RHOADS, Co-Chair

  
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 J. KALANI ENGLISH, Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2901, SD 1, HD 1</b>					Date/Time: <i>April 16, 2014 / 2:50 pm</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ENGLISH, J. Kalani, Chr.	X				YAMANE, Ryan I., Co-Chr.	X			
ESPERO, Will				X	RHOADS, Karl, Co-Chr.	X			
KAHELE, Gilbert	X				CREAGAN, Richard				X
KEITH-AGARAN, Gilbert S.C.	X				HAR, Sharon E.				X
SLOM, Sam	X				MCDERMOTT, Bob	X			
<b>TOTAL</b>	<b>4</b>			<b>1</b>	<b>TOTAL</b>	<b>3</b>			<b>2</b>
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>