
A BILL FOR AN ACT

RELATING TO BROADBAND.

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

1 SECTION 1. Act 151, Session Laws of Hawaii 2011, as
2 amended by section 3 of Act 264, Session Laws of Hawaii 2013, is
3 amended by amending section 2 to read as follows:

4 "SECTION 2. [~~From~~] Beginning January 1, 2012, [~~to January~~
5 ~~1, 2017,~~] actions relating to the installation, improvement,
6 construction, or development of infrastructure relating to
7 broadband service or broadband technology, including the
8 interconnection of telecommunications cables, shall be exempt
9 from county permitting requirements, state permitting and
10 approval requirements, which includes the requirements of
11 chapters 171, 205A, and 343, Hawaii Revised Statutes, and public
12 utilities commission rules under Hawaii Administrative Rules,
13 chapter 6-73, that require existing installations to comply with
14 new pole replacement standards at the time of any construction
15 or alteration to the equipment or installation, except to the
16 extent that such permitting or approval is required by federal
17 law or is necessary to protect eligibility for federal funding,
18 services, or other assistance; provided that the installation,



1 improvement, construction, or development of infrastructure
2 shall:

3 (1) Be directly related to the improvement of existing
4 telecommunications cables or the installation of new
5 telecommunications cables:

6 (A) On existing or replacement utility poles and
7 conduits; and

8 (B) Using existing infrastructure and facilities;

9 (2) Take place within existing rights-of-way or public
10 utility easements or use existing telecommunications
11 infrastructure; and

12 (3) Make no significant changes to the existing public
13 rights-of-way, public utility easements, or
14 telecommunications infrastructure.

15 An applicant shall comply with all applicable safety and
16 engineering requirements relating to the installation,
17 improvement, construction, or development of infrastructure
18 relating to broadband service.

19 A person or entity taking any action under this section
20 shall, at least thirty calendar days before the action is taken,
21 provide notice to the director of commerce and consumer affairs



1 by electronic posting in the form and on the site designated by
2 the director for such posting on the designated central State of
3 Hawaii Internet website; provided that notice need not be given
4 by a public utility or government entity for an action relating
5 to the installation, improvement, construction, or development
6 of infrastructure relating to broadband service or broadband
7 technology where the action taken is to provide access as the
8 owner of the existing rights-of-way, utility easements, or
9 telecommunications infrastructure."

10 SECTION 2. Act 264, Session Laws of Hawaii 2013, is
11 amended by amending section 5 to read as follows:

12 "SECTION 5. This Act shall take effect on January 1,
13 2014 [~~, and shall be repealed on June 30, 2018~~]; provided that
14 this Act shall apply to permit applications filed with the State
15 or county after December 31, 2013."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2016.



Report Title:

Broadband Permits; Automatic Approval; Construction

Description:

Makes permanent the provisions of Act 151, Session Laws of Hawaii 2011, and Act 264, Session Laws of Hawaii 2013 that require the State and the counties to take action within sixty days for broadband-related permit applications, require the State to take action within one hundred forty-five days for use applications for broadband facilities within the conservation district, establish other requirements regarding broadband-related permits, and subject weight load for utility poles to capacities established by the FCC and PUC. (SD1)

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

