

JAN 27 2016

A BILL FOR AN ACT

RELATING TO FERRY SYSTEMS.

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

1 SECTION 1. Section 268-1, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§268-1 Ferry system and facilities authorized. It being
4 hereby declared that the establishment of a ferry system to
5 provide the people of this State with an economic means of
6 transportation is a public purpose, the department of
7 transportation, hereinafter referred to as the department, [~~may~~]
8 shall acquire by lease, charter, contract, purchase,
9 condemnation, or construction, and partly by any or all of such
10 means, and thereafter operate, improve, and extend, as a public
11 undertaking and enterprise, a system of ferries between the
12 islands of the State and connecting with the public streets and
13 highways in the State, the system of ferries to include such
14 boats, vessels, wharves, docks, approaches, landings,
15 franchises, licenses, and appurtenances, as shall be determined
16 by the department to be necessary or desirable for the efficient
17 operation of a ferry system to best serve the public. In



1 general the department shall have all the powers necessary or
2 convenient to carry out effectively the purpose and provisions
3 of this chapter. The department may acquire by purchase,
4 condemnation, or construction and include in such ferry system
5 such approaches and connecting roadways as may be deemed by the
6 department advantageous in channeling traffic to points served
7 by the ferry system. The department may enter into any
8 contracts, agreements, or leases with any person, firm, or
9 corporation whether public or private and thereby provide, on
10 such terms and conditions as it shall determine, for the
11 operation of any ferry or ferries or system thereof, whether
12 acquired by the department or not. The department may further
13 exercise the power of eminent domain for the acquisition of
14 either real or personal property, necessary for the ferry
15 system. The department of land and natural resources shall
16 conduct any necessary environmental impact statements pursuant
17 to chapter 343 for an inter-island or intra-island ferry system
18 authorized by this chapter."

19 SECTION 2. Section 268-2.5, Hawaii Revised Statutes, is
20 amended to read as follows: .



1 " ~~[+]~~ §268-2.5 Intra-island water ferry transportation
2 system; authority to implement. ~~[+]~~ The department of
3 transportation ~~[is authorized to]~~ shall implement an intra-
4 island water ferry transportation system subject to chapter
5 103D. The intra-island water ferry transportation system shall
6 be premised upon the transportation of commuters during peak
7 traffic periods and may be used for other revenue-generating
8 purposes during non-peak traffic periods. The system may
9 include landings at various locations along the southern coast
10 of Oahu and shall be integrated with ground transportation.

11 The department of transportation and the department of land
12 and natural resources are authorized to:

- 13 (1) Waive or assess nominal fees for the use of public
14 infrastructures and terminals by the operator of the
15 intra-island water ferry transportation system; and
16 (2) Lease public lands at a nominal cost to the operator
17 of the intra-island water ferry transportation system.

18 In return for concessions as determined jointly by the
19 department of transportation and the department of land and
20 natural resources, the operator of the intra-island water ferry
21 transportation system shall provide the ferry service at no cost



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1 or nominal cost to the State for the duration of the
 2 concessions. Operating expenses may be further supplemented by
 3 other revenue-generating activities during non-peak traffic
 4 periods.

5 The department of transportation shall aggressively explore
 6 the possibility of obtaining federal funds to implement the
 7 intra-island water ferry transportation system."

8 SECTION 3. There is appropriated out of the general
 9 revenues of the State of Hawaii the sum of \$ or so much
 10 thereof as may be necessary for fiscal year 2016-2017 for costs
 11 associated with the implementation of a inter-island or intra-
 12 island ferry system.

13 The sum appropriated shall be expended by the department of
 14 transportation for the purposes of this Act.

15 SECTION 4. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

Dianne Hamilton
James M. ...
James Meriades
Ronald E. ...
Francine ...
Will ...



S.B. NO. 3090

Report Title:

Ferry System; Environmental Impact Statement

Description:

Requires the department of transportation to implement an intra-island or inter island ferry system.

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