



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 10, 2017 **GOV. MSG. NO. 1216**

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2017, the following bill was signed into law:

HB733 HD1 SD2

RELATING TO TRANSPORTATION
ACT 115 (17)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Section 286-26, Hawaii Revised Statutes, is
2 amended by amending subsection (h) to read as follows:

3 "(h) This section shall not apply to:

4 (1) Any motor vehicle which is covered by part XI,
5 governing safety of motor carrier vehicle operation
6 and equipment; provided that the rules adopted
7 pursuant to part IA impose standards of inspection at
8 least as strict as those imposed under subsection (g)
9 and that certification is required at least as often
10 as provided in subsections (a), (b), (c), and (d);

11 [and]

12 (2) Aircraft servicing vehicles that are being used
13 exclusively on lands set aside to the department of
14 transportation for airport purposes [-]; and

15 (3) Tractor trucks, forklifts, and top picks being used as
16 marine terminal equipment temporarily moving in or



1 between terminals at Sand Island and along Sand Island
2 Parkway and Sand Island Access Road."

3 SECTION 2. Section 286-41, Hawaii Revised Statutes, is
4 amended by amending subsection (f) to read as follows:

5 "(f) The provisions of this part requiring the
6 registration of motor vehicles shall not apply to:

- 7 (1) Special mobile equipment;
- 8 (2) Implements of husbandry temporarily drawn, moved, or
9 otherwise propelled upon the public highways; [~~and~~]

- 10 (3) Aircraft servicing vehicles which are being used
11 exclusively on lands set aside to the department of
12 transportation for airport purposes[-]; and

- 13 (4) Tractor trucks, forklifts, and top picks being used as
14 marine terminal equipment temporarily moving in or
15 between terminals at Sand Island and along Sand Island
16 Parkway and Sand Island Access Road."

17 SECTION 3. Section 286-105, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "§286-105 What persons are exempt from license. The
20 following persons are exempt from license:



- 1 (1) Any person while driving or operating a motor vehicle
2 in the service or employ of any branch or agency of
3 the federal government; provided that the person has
4 received a license or permit from the branch or agency
5 to operate and drive the motor vehicle; provided
6 further that the branch or agency has been duly
7 authorized by the federal government to issue the
8 license or permit;
- 9 (2) Any person while driving or operating any road
10 machine, farm tractor, or implement of husbandry
11 temporarily operated or moved on a highway[+], or
12 tractor trucks, forklifts, and top picks being used as
13 marine terminal equipment temporarily moving in or
14 between terminals at Sand Island and along Sand Island
15 Parkway and Sand Island Access Road; provided that no
16 person under the age of thirteen years shall be
17 permitted to drive or operate any such road machine,
18 farm tractor, [~~e~~] implement of husbandry, on a
19 highway[+], or tractor trucks, forklifts, and top
20 picks being used as marine terminal equipment
21 temporarily moving in or between terminals at Sand



1 Island and along Sand Island Parkway and Sand Island
2 Access Road;

3 (3) Any person who is at least eighteen years of age and
4 who has in the person's possession a valid driver's
5 license to drive the categories of motor vehicles
6 listed in section 286-102(b), except section 286-
7 102(b)(4), that is equivalent to a driver's license
8 issued in this State but was issued to the person in
9 another state of the United States, the Commonwealth
10 of Puerto Rico, United States Virgin Islands, American
11 Samoa, Guam, a province of the Dominion of Canada, or
12 the Commonwealth of the Northern Mariana Islands for
13 that category of motor vehicle which the person is
14 operating;

15 (4) Any person who has in the person's possession a valid
16 commercial motor vehicle driver's license issued by
17 any state of the United States, Mexico, or a province
18 of the Dominion of Canada that issues licenses in
19 accordance with the minimum federal standards for the
20 issuance of commercial motor vehicle driver's
21 licenses; and



1 (5) Any person who drives or operates state or county
2 motor vehicles while employed by, in the service of,
3 or volunteering for the state or county fire
4 departments, provided that they are trained and
5 certified to drive category (4) motor vehicles as set
6 forth in section 286-102(b) (4) by the state or county
7 government, as appropriate, and provided that the
8 person maintains a category (3) license as set forth
9 in section 286-102(b) (3)."

10 SECTION 4. Section 291-36, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By amending subsection (a) to read:

13 "(a) The director of transportation, in the case of state
14 highways, or the county engineer, in the case of county roads
15 and streets, may, upon application in writing, issue a written
16 permit authorizing the applicant to operate or move a vehicle or
17 combination of vehicles, self-propelled construction or farm
18 equipment, marine terminal equipment as referenced in section
19 286-26(h) (3), or special mobile equipment of dimensions or
20 weights, including loads or both, which exceed the limits set in
21 sections 291-34 and 291-35."



1 2. By amending subsection (c) to read:

2 "(c) The application for any such permit shall
3 specifically describe the vehicle or combination of vehicles,
4 the self-propelled construction or farm equipment, the marine
5 terminal equipment as referenced in section 286-26(h)(3), the
6 load to be operated or moved, the particular highways over which
7 the permit to operate is requested, and whether such permit is
8 requested for a single trip or for continuous operation."

9 3. By amending subsections (e) and (f) to read:

10 "(e) Every such permit shall be carried in the vehicle or
11 combination of vehicles [~~or the~~], self-propelled construction or
12 farm equipment, or marine terminal equipment as referenced in
13 section 286-26(h)(3), to which it refers and shall be open to
14 inspection of any peace officer or traffic officer or employee
15 charged with the care or protection of the highways; provided
16 that in the case of annual permits, this requirement may be met
17 where a copy of the permit is carried in the vehicle, and the
18 original permit is readily available for inspection from the
19 operator's offices in the county of issuance.

20 (f) The owner of any vehicle or combination of vehicles
21 [~~or~~], self-propelled construction or farm equipment, or marine



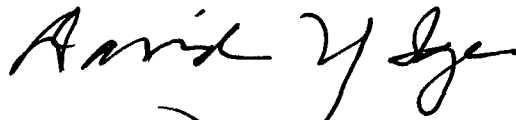
1 terminal equipment as referenced in section 286-26(h)(3) found
2 operating in violation of the terms or conditions of any permit
3 or over sections of the highway not covered by the permit shall
4 be subject to the penalties provided in section 291-37."

5 SECTION 5. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

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

10 SECTION 7. This Act shall take effect on July 1, 2017.

APPROVED this 10 day of JUL , 2017



GOVERNOR OF THE STATE OF HAWAII



HB No. 733, HD 1, SD 2

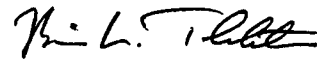
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: April 11, 2017
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.


President of the Senate


Clerk of the Senate