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# 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, [~~or~~] 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, 2112.



**Report Title:**

Marine Terminal Equipment; Safety Inspection; Vehicle  
Registration; License

**Description:**

Provides exemptions from vehicle registration, safety inspection, and driver licensure requirements for tractor trucks, forklifts, and top picks being used as marine terminal equipment when operating on Sand Island Parkway and Sand Island Access Road between terminal locations under specific conditions. Effective 7/1/2112. (SD1)

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

