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IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 10, 2017
10:00 a.m.
State Capitol, Room 423

H.B. 725
RELATING TO TRANSPORTATION

House Committee on Transportation

The Department of Transportation **supports** the intent of this measure that aims to mitigate damage to Hawaii's highways and roads by regulating the commercial maritime cargo carrying vehicles that transport heavy loads across state roads.

This proposal supports the preservation of Hawaii's roads while also promoting fairness among all maritime cargo carriers by requiring all commercial maritime cargo carrying vehicles to be weighed when leaving a commercial harbor facility. Currently, only vehicles leaving certain harbor facilities must be weighed.

The Department of Transportation raises concerns with the proposed implementation of this bill as it establishes a new procedure to remedy a violation when a vehicle operator is found to not have a receipt indicating the gross weight of the vehicle. The new procedure requires the vehicle to return to the commercial harbor to be weighed which will impair commerce and delay the delivery of goods to Hawaii's consumers.

To support fairness and to achieve these objectives without delaying commerce, the Department of Transportation respectfully urges your committees to make the following amendments as attached to this testimony. These proposed amendments add new language to Section 291-35, Hawaii Revised Statutes, the section that addresses overweight vehicles and related penalties, rather than create a new section. The proposed amendment also limits the weigh stations to commercial harbor facilities that allow vehicles to egress and ingress while carrying a load of 55,000 pounds or more. This achieves the stated objectives while reducing implementation costs.

Finally, the implementation of this measure with the proposed amendments will require an appropriation of \$230,000 for purchase and installation of equipment, and \$650,000 in personnel costs to properly man the new weigh stations. These costs are not included in the Department of Transportation budget requests and there is no appropriation included in this measure.

Thank you for the opportunity to provide testimony.



February 10, 2017

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION
AND ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
ON HB 725 RELATING TO TRANSPORTATION**

Thank you Chair Aquino, and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) with over 400 transportation related members throughout the state of Hawaii.

HTA opposes this measure in favor of one that would read,

"§291-35 Gross weight, axle, and wheel loads.

(8) The director of transportation shall establish a weigh in motion and axle scale system at all commercial harbor facilities that allow the egress and ingress of vehicles carrying a cargo load of 55,000 pounds or more, and all maritime cargo carriers engaged in inter-state transportation shall submit to the department a detailed list, obtained from the shipping manifest, of every shipping container or load that:

- (A) Has arrived in a commercial harbor of the State;
- (B) Has a gross weight of fifty-five thousand pounds or more; and
- (C) Is to be transported on any highway in the State."

Thank you.

Testimony of Ku`uhaku Park
On Behalf of Matson
In Support of HB725
Before the House Committee on Transportation
On February 10, 2017, at 10:00

Chair Aquino, Vice Chair Quinlan and Committee Members,

In regards to HB725, RELATING TO TRANSPORTATION, Matson is in strong support. This bill requires that all commercial maritime cargo of 55,000 pounds or more to be scaled by the State Department of Transportation (DOT), to ensure that they are compliant with weight restrictions set forth by the County, State and Federal levels of government.

Matson has reviewed and is in agreement with the proposed HD1 language introduced by the DOT. We also have one further suggested amendment with is addressed below.

Overweight shipments could have a dangerous impact on public safety as they increase the opportunity of loads tipping while making sharp turns and also require longer stopping distances in cases of hard braking. A truck carrying overweight cargo may not be able to stop safely in cases of sudden, unexpected traffic situations.

Furthermore, the City and County of Honolulu has repaved hundreds of lane miles over the past few years and running overweight cargo over them expedites the wear and tear on these roads. This puts at risk, millions of dollars of taxpayer investments.

Finally, the container carriers, Matson and Pasha, both have their cargo scaled at the point of origin and again at the State Department of Transportation's scale house on Sand Island. Cargo from carriers arriving at piers in Honolulu Harbor other than those on Sand Island, as well as loads arriving at Kalaeloa, are not scaled once they arrive in Hawaii. Besides the obvious potential safety issues that may arise, this also creates an incredible competitive imbalance in the marketplace.

The one proposed change we would recommend is to strike lines 14-16 in section 291C-(d), on page three of the bill, which requires that a load found to be overweight must be returned to the pier. The flow of commerce into our state is based on just in time delivery. As such, any delay in cargo delivery will adversely affect all downline applications of that cargo, including product availability on retail shelves, or holding up job sites on construction projects.

We would instead suggest that this section be replaced with a stated fine, set at a value that would deter purposeful overloading of cargo loads.

Thank you for considering the testimony of Matson.