

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 2435
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Transportation and Energy, to which was referred H.B. No. 2435, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIERS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "rates" in Hawaii's Motor Carrier Law to clarify that, for packages that include other services, "rates" only refers to charges for the provision of transportation by motor vehicle of passengers.

Your Committee received testimony in support of this measure from Robert's Hawaii, Inc. and E Noa Corporation.

Your Committee finds that the Public Utilities Commission (PUC) regulates all chartered, franchised, certified, and registered public utility companies operating in the State, including motor vehicle carriers. The PUC imposes tariffs on motor vehicle carriers for rates, fares, and charges. Under the existing definition of "rates", the tariff is applied to non-transportation services and items like lunch, admission fare, and airfare that are often included in package deals offered by the motor vehicle carrier. Your Committee finds that this does not reflect the primary responsibility of the PUC. As such, the

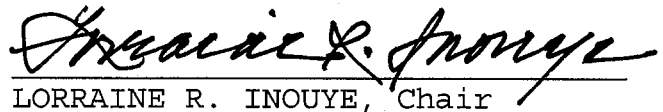


definition of "rates" should be amended to include only costs related to motor vehicle transportation.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Energy that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2435, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2435, H.D. 1, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.


Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Energy,


LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

| | | | | |
|--|--|---------------------------|-----|----------|
| Bill / Resolution No.:* HB2435 HD1 | Committee Referral: TRE, CPH | Date: 3/14/2018 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| INOUYE, Lorraine R. (C) | K | | | |
| ESPERO, Will (VC) | K | | | |
| ENGLISH, J. Kalani | | | | K |
| HARIMOTO, Breene | | | | K |
| SHIMABUKURO, Maile S.L. | K | | | |
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| TOTAL | 3 | | | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes