

Honolulu, Hawaii

APR 06 2018

RE: H.B. No. 2435  
H.D. 1  
S.D. 2

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

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 2435, H.D. 1, S.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 the Hawaii Transportation Association; Roberts Hawaii, Inc.; and The Maritime Group, LLC.

Your Committee finds that the Public Utilities Commission (Commission) regulates all chartered, franchised, certified, and registered public utility companies operating in the State, including motor vehicle carriers. Your Committee further finds that the Commission imposes tariffs on motor vehicle carriers for rates, fares, and charges. However, under the existing definition of "rates" in the Motor Carrier Law, the tariff is applied to non-transportation services and items, such as airfare, meals, and attraction admission fare, that are often included in package deals offered by a motor vehicle carrier. This measure therefore



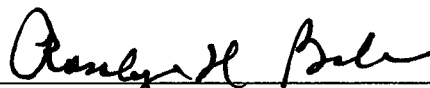
clarifies that the passenger tariffs rates filed are for transportation services only and exclude the provision of non-transportation items and ensures that the annual fee paid to the Commission based on a motor vehicle carrier's gross revenues excludes the amounts received for these non-transportation items.

Your Committee has amended this measure by:

- (1) Changing its effective date to upon approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2435, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2435, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



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ROSALYN H. BAKER, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2435 HDI SDI	TRE, CPH	April/6/2018		
<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
BAKER, Rosalyn H. (C)	✓			
TOKUDA, Jill N. (VC)				✓
CHANG, Stanley				✓
ESPERO, Will	✓			
IHARA, Jr., Les				✓
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.	✓			
<b>TOTAL</b>	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<i>Clarence K. Nishihara</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes