

Testimony of E Noa Corporation
on
H.B. No. 2435
Relating to Motor Carriers
Committee on Transportation
Wednesday, March 14, 2018
10:30 a.m., Room 423

My name is Maki Kuroda, and I am president and CEO of E Noa Corporation. We have been in business for over 43 years, and is one of the major tour companies on Oahu. I want to add my support for H.B. No. 2435.

The Public Utilities Commission (PUC) regulates all chartered, franchised, certificated, and registered public utility companies operating in the State; reviews and approves rates, tariffs, charges and fees; determines the allowable rate of earnings in establishing rates; issues guidelines concerning the general management of franchised or certificated utility businesses; and acts on requests for the acquisition, sale, disposition or other exchange of utility properties, including mergers and consolidations. The Commission's primary duty, however, is to protect the public interest by overseeing and regulating public utilities to ensure that they provide reliable service at just and reasonable rates.

Paying PUC charges for non-transportation items, which is - in our case - all the activities we include in our package tour/tours e.g., (lunch, admission), and paying for non-regulated PUC items do not reflect the true spirit of PUC's purposes and objectives. Therefore, E Noa Corporation highly favors H.B. No. 2435, separating these activities and responsibilities from paying a fee for the transportation portion.

Thank you for allowing us to submit written testimony endorsing H.B. No. 2435. We greatly encourage and appreciate making a change to this critical matter upon your approval.
Respectfully,

Maki Kuroda

Maki Kuroda
President
E Noa Corporation/Waikiki Trolley

**Testimony of Roberts Hawaii
on**

H.B. 2435 H.D. 1

Relating to Motor Carriers

Committee on Consumer Protection & Commerce

Wednesday, March 14, 2018

1:15 p.m., Room 225

phone 808 523 7750

fax 808 522 7066

Roberts Hawaii Inc.

680 Iwilei Road

Suite 700

Honolulu, Hawaii 96817

My name is Roy Pfund, Vice President of Robert's Hawaii, Inc., testifying in strong support of H.B. No. 2435, H.D.1, which proposes to amend the definition of "rate" for the transportation of passengers by motor vehicle to only include the charges for the provision of transportation.

Robert's Hawaii operates under a certificate for the transportation of persons by motor vehicle and the services incidental to the "safety, comfort, or convenience of the persons transported." As one of Hawaii's largest provider of tour and transportation services, Robert's Hawaii often enters into agreements with a tour packager or event organizer, where the agreement includes the provision of things like air fare, meals, cost of attractions, and other services. The PUC is charged with regulating the transportation component of these packaged services.

H.B. No. 2435, H.D. 1, amends the definition of "rate" so, when a motor carrier of passengers enters into an agreement that includes the provision of non-transportation items, such as airfare, meals, attractions, and other non-transportation services, the rate shall only include the revenue related to the provision of transportation.

This amendment will clarify that, 1) the PUC passenger tariffs rates filed are for transportation services only, and 2) the annual fee paid to the Public Utilities based on "gross revenues," should exclude amounts received for the non-transportation items.

We request that the effective date be changed to "upon approval."

We strongly urge you to pass this measure with the recommended amendment.

Thank you for the opportunity to testify on this measure.



**Testimony of Roberts Hawaii
on**

H.B. 2435 H.D. 1

Relating to Motor Carriers

Committee on Transportation and Energy

Wednesday, March 14, 2018

1:15 p.m., Room 225

phone 808 523 7750

fax 808 522 7866

Roberts Hawaii Inc.

680 Iwilei Road

Suite 700

Honolulu, Hawaii 96817

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A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that the Hawaii emergency
2 management agency's broadcast of a false alert of an inbound
3 ballistic missile on January 13, 2018, and the amount of time it
4 took the State to cancel the false alert is unacceptable.

5 In the aftermath of the false alert, the Hawaii emergency
6 management agency implemented personnel and procedural changes
7 and lawmakers promised to take corrective action to ensure that
8 such a false alert would not occur again.

9 The legislature further finds that it is in the best
10 interest of the State to demand accountability from emergency
11 personnel, identify and correct weaknesses in the State's
12 emergency management system, and take constructive action for
13 disaster and emergency preparedness. To this point, it is
14 important for the State to engage the entire community including
15 businesses, universities and schools, the counties, media, and
16 other stakeholders, in addition to the department of defense, to



1 improve statewide disaster and emergency preparedness systems
2 and protocols.

3 The purpose of this Act is to support the State of Hawaii
4 in its efforts to plan for, respond to, and recover from
5 disasters and emergencies by establishing a Hawaii disaster
6 preparedness task force within the national disaster
7 preparedness training center at the University of Hawaii to
8 review current disaster management coordination and other
9 functional components of disaster planning, and to develop
10 recommendations for a Hawaii disaster preparedness plan.

11 SECTION 2. (a) There is established a Hawaii disaster
12 preparedness task force within the national disaster
13 preparedness training center at the University of Hawaii to
14 review current disaster management coordination and other
15 functional components of disaster planning.

16 (b) The task force shall consist of:

17 (1) Three members of the house of representatives who
18 shall be appointed by the speaker of the house of
19 representatives;

20 (2) Three members of the senate who shall be appointed by
21 the senate president;



- 1 (3) The director of the Hawaii office of the Federal
- 2 Emergency Management Agency, or the director's
- 3 designee;
- 4 (4) The adjutant general or the adjutant general's
- 5 designee;
- 6 (5) The administrator of the Hawaii emergency management
- 7 agency, or the administrator's designee;
- 8 (6) The director from the Hawaii fusion center, or the
- 9 director's designee;
- 10 (7) The chairperson of the public utilities commission or
- 11 the chairperson's designee;
- 12 (8) The director of the office of planning or the
- 13 director's designee;
- 14 (9) The executive director of the national disaster
- 15 preparedness training center at the University of
- 16 Hawaii or the executive director's designee;
- 17 (10) The president of the University of Hawaii or the
- 18 president's designee;
- 19 (11) The chairperson of the board of education or the
- 20 chairperson's designee;



- 1 (12) The chairperson of the Hawaii tourism authority board
2 of directors or the chairperson's designee;
- 3 (13) The chairperson of the board of directors of the
4 retail merchants of Hawaii or the chairperson's
5 designee;
- 6 (14) The president and chief executive officer of the
7 chamber of commerce Hawaii or the president and chief
8 executive officer's designee;
- 9 (15) The executive director of the Hawaii association of
10 broadcasters or the executive director's designee;
- 11 (16) One member from the department of urban and regional
12 planning at the University of Hawaii who shall be
13 appointed by the president of the University of
14 Hawaii;
- 15 (17) Three members each from the county of Hawaii, city and
16 county of Honolulu, county of Kauai, and county of
17 Maui, consisting for each county of the departmental
18 director of the appropriate county planning department
19 or agency or the director's designee, the departmental
20 director of the appropriate county emergency



1 management department or agency or the director's
2 designee, and one member appointed by the mayor;

3 (18) The president of the Hawaii shippers' council or the
4 president's designee; and

5 (19) The president of the Hawaii maritime council or the
6 president's designee.

7 (c) The task force shall select one of its members to
8 serve as the chair of the task force.

9 (d) The members of the task force shall receive
10 reimbursement for expenses, including travel expenses, that are
11 necessary for the performance of their duties. No member shall
12 be made subject to section 84-17, Hawaii Revised Statutes,
13 solely because of that member's participation as a member of the
14 task force.

15 (e) The national disaster preparedness training center at
16 the University of Hawaii shall assist the task force in
17 performing its duties as required under this Act.

18 (f) The task force shall review, solicit input on, and
19 develop recommendations for the Hawaii disaster preparedness
20 plan to ensure its relevance as a guide for future long-term



1 disaster planning. In executing this function, the task force
2 shall:

- 3 (1) Determine if existing disaster management criteria for
4 allocating resources and addressing coordination among
5 federal, state, and county agencies are adequate;
- 6 (2) Determine if existing disaster management facilities
7 associated with emergency response, public safety
8 regeneration, and civic restoration are adequate;
- 9 (3) Research the implementation of a structured, systemic,
10 and timely disaster management outreach program
11 targeting public, private, and nonprofit stakeholders;
- 12 (4) Identify and list the capabilities and weaknesses of
13 the State and counties in disaster planning, response,
14 and recovery;
- 15 (5) Assess disaster planning needs within the State;
- 16 (6) Ensure the installation of mechanisms to prevent and
17 immediately cancel false alerts;
- 18 (7) Determine the best use of appropriate technologies and
19 communications systems, including social media, for
20 the accurate and immediate dissemination of critical
21 information throughout the State;



- 1 (8) Promote efficiency, accuracy, accountability, and
2 reliability of emergency management functions;
- 3 (9) Conduct necessary follow-up on the deputy adjutant
4 general's report and modifications to the State's
5 missile alert system as a result of the ballistic
6 missile false alert on January 13, 2018;
- 7 (10) Determine the likely impacts of various disaster
8 scenarios in the State and estimate the time required
9 to restore functions within the State if the disaster
10 were to strike under current conditions;
- 11 (11) Research and record best practices for disaster
12 planning, response, and recovery from other states and
13 other national and international sources;
- 14 (12) Determine the effectiveness and feasibility of
15 statewide disaster and emergency simulation exercises;
- 16 (13) Define acceptable timeframes to restore all statewide
17 functions after a disaster to fulfill expected
18 resilient performance;
- 19 (14) Recommend changes in practice, policies, and protocols
20 that, if implemented during the next fifty years, will



1 allow Hawaii to reach the desired disaster
2 preparedness, management, and recovery targets; and
3 (15) Develop criteria and benchmarks to measure compliance
4 with task force recommendations that have been enacted
5 into law or adopted as policies by governmental
6 agencies and to guide budgetary priorities.

7 SECTION 3. The task force, with assistance from the
8 legislative reference bureau, shall submit a preliminary report
9 of its findings, program recommendations, and proposed
10 legislation, if any, to the legislature and to the national
11 disaster preparedness training center at the University of
12 Hawaii no later than twenty days prior to the convening of the
13 regular session of 2019.

14 SECTION 4. The national disaster preparedness training
15 center at the University of Hawaii, with assistance from the
16 legislative reference bureau, shall submit a final report, known
17 as the Hawaii disaster preparedness plan, to the legislature no
18 later than twenty days prior to the convening of the regular
19 session of 2020.

20 SECTION 5. The national disaster preparedness training
21 center at the University of Hawaii, with assistance from the



1 legislative reference bureau, shall update the Hawaii disaster
2 preparedness plan in 2021 and report to the legislature.

3 SECTION 6. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2018-2019 for the
6 review, recommendations, and community planning to be performed
7 by the Hawaii disaster preparedness task force pursuant to this
8 Act.

9 The sum appropriated shall be expended by the national
10 disaster preparedness training center at the University of
11 Hawaii for the purposes of this Act.

12 SECTION 7. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so much
14 thereof as may be necessary for fiscal year 2018-2019 for
15 creating the Hawaii disaster preparedness plan.

16 The sum appropriated shall be expended by the national
17 disaster preparedness training center at the University of
18 Hawaii for the purposes of this Act.

19 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Disaster Preparedness Plan; Hawaii Disaster Preparedness Task Force

Description:

Establishes a task force to make recommendations for the Hawaii Disaster Preparedness Plan. Requires the National Disaster Preparedness Training Center at the University of Hawaii to assist the task force in preparing the Plan. Appropriates funds. (HB2582 HD1)

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

