STAND. COM. REP. NO.

Honolulu, Hawaii MAR 25 , 2021

RE: S.B. No. 766 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 766 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIER PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to allow a penalty of up to \$5,000 for each fourth or subsequent violation of the Motor Carrier Law within one calendar year.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaii Transportation Association, and one individual.

Your Committee finds that under the Motor Carrier Law, the Public Utilities Commission is authorized to impose a maximum fine of \$1,000 for each violation, with an additional maximum of \$500 per day the violation continues. However, this statutory limit does not sufficiently deter repeat violators from complying with the provisions of the Motor Carrier Law and lawful orders of the Public Utilities Commission. This measure will give the Public Utilities Commission the flexibility to determine penalties for violations by regulated motor carriers.

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Your Committee has amended this measure by:

- Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 766, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

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State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

| Bill/Resolution No.: SB766 | Committee Referral: CPC, FIN | Date: | Date: 3 24 21 | | |
|--|---------------------------------|--|--|---|--|
| The committee is reconsidering its previous decision on the measure. | | | | | |
| The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) | | | | | |
| CPC Members | Ayes | Ayes (WR) | Nays | Excused | |
| 1. JOHANSON, Aaron Ling (C) | | | | | |
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| 2. KITAGAWA, Lisa (VC) | | | State of the state | | |
| 2 AQUINO Homer IC | | | | | |
| 3. AQUINO, Henry J.C. | | | | | |
| 4. HAR, Sharon E. | | <u></u> | | | |
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| 5. HASHEM, Mark J. | | | | | |
| | | | | | |
| 6. KONG, Sam Satoru | | | | | |
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| 7. MIZUNO, John M. | | | | | |
| 8. MORIKAWA, Dee | | <u>, e e la constanta de la cons</u> t | and a sub- | (* 1917) (* Artesland (* 20. 1917) (11. a.) | |
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| 9. ONISHI, Richard H.K. | \checkmark | | nininistani danistan statogo | | |
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| 10. TARNAS, David A. | | | an a | | |
| | | | and a second | | |
| 11. MATSUMOTO, Lauren | | | | | |
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| TOTAL (11) | <u> </u> | 0 | ð | 0 | |
| The recommendation is: Adopted Not Adopted If joint referral, | | | | | |
| Vice Chair's or designee's signature: | | | | | |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO | | | | | |