

JAN 21 2022

A BILL FOR AN ACT

RELATING TO PARKING CONCESSIONS.

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

1 SECTION 1. The legislature finds that certain types of
2 procurement projects, namely parking concessions, require
3 departments to act quickly and that in certain cases,
4 procurement laws can negatively affect the quality and
5 consistency of services offered. Pursuant to section 102-2(a),
6 Hawaii Revised Statutes, concessions not exempted may only be
7 leased by following the public bidding process described
8 therein; this public bidding process can create significant
9 delays when a department attempts to replace a parking vendor.

10 The legislature recognizes that the highest amount of money
11 offered for a contract does not necessarily result in the State
12 receiving the best value of services and that in some cases, the
13 most expeditious option is preferred. The legislature further
14 finds that in order to ensure quality and consistency of parking
15 services offered to customers, departments should not be limited
16 to awarding parking concessions based on purely monetary
17 consideration. In these cases, the ability for a department to



1 quickly respond to changes in parking vendors or other
2 extenuating circumstances is oftentimes essential to ensure
3 uninterrupted parking services to the public.

4 Therefore, the purpose of this Act is to exempt parking
5 concessions from the bidding requirements under section 102-
6 2(a).

7 SECTION 2. Section 102-2, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) The bidding requirements of subsection (a) shall not
10 apply to concessions or space on public property set aside for
11 the following purposes:

- 12 (1) For operation of ground transportation services [~~and~~
13 ~~parking lot operations~~] at airports, except for motor
14 vehicle rental operations under chapter 437D;
- 15 (2) For lei vendors;
- 16 (3) For airline and aircraft operations;
- 17 (4) For automated teller machines and vending machines,
18 except vending machines located at public schools
19 operated by blind or visually handicapped persons in
20 accordance with section 302A-412;



- 1 (5) For operation of concessions set aside without any
2 charge;
- 3 (6) For operation of concessions by handicapped or blind
4 persons; except concessions operated in the public
5 schools by blind or visually handicapped persons in
6 accordance with section 302A-412;
- 7 (7) For operation of concessions on permits revocable on
8 notice of thirty days or less; provided that no such
9 permits shall be issued for more than a one year
10 period;
- 11 (8) For operation of concessions or concession spaces for
12 a beach service association dedicated to the
13 preservation of the Hawaii beach boy tradition,
14 incorporated as a nonprofit corporation in accordance
15 with state law, and whose members are appropriately
16 licensed or certified as required by law;
- 17 (9) For operation of concessions at county zoos, botanic
18 gardens, or other county parks which are
19 environmentally, culturally, historically, or
20 operationally unique and are supported, by nonprofit
21 corporations incorporated in accordance with state law



1 solely for purposes of supporting county aims and
2 goals of the zoo, botanic garden, or other county
3 park, and operating under agreement with the
4 appropriate agency solely for such purposes, aims, and
5 goals;

6 (10) For operation of concessions that furnish goods or
7 services for which there is only one source, as
8 determined by the head of the awarding government
9 agency in writing that shall be included in the
10 contract file;

11 (11) For any of the operations of the Hawaii health systems
12 corporation and its regional system boards;

13 (12) For airport operation of concessions;

14 (13) For the stadium authority operation of concessions
15 providing electronic communication services;

16 (14) For the stadium authority operation of concessions
17 consisting solely of advertising; [and]

18 (15) For the operations of the natural energy laboratory of
19 Hawaii authority[-]; and

20 (16) For parking lot operations."

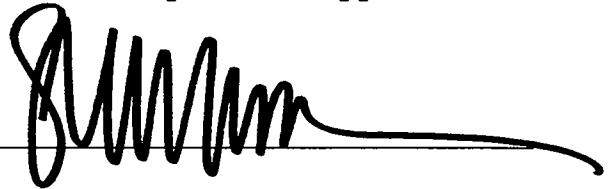


1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

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S.B. NO. 2726

Report Title:

Procurement; Parking Concessions; Exemption

Description:

Exempts parking concessions from the public bidding requirements under the state procurement law.

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

