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# 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. Section 102-2(a), Hawaii  
6 Revised Statutes, requires that concessions be leased using the  
7 public bidding process described therein. This public bidding  
8 process can create significant delays when a department attempts  
9 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 often essential to ensure  
3 uninterrupted parking services to the public.

4 Therefore, the purpose of this Act is to exempt parking lot  
5 operations and ground transportation services at airports and  
6 small boat harbors from the bidding requirements under section  
7 102-2(a), Hawaii Revised Statutes.

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

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

13 (1) For operation of ground transportation services and  
14 parking lot operations at [~~airports,~~]

15 (A) Airports; and

16 (B) Small boat harbors,

17 except for motor vehicle rental operations under  
18 chapter 437D;

19 (2) For lei vendors;

20 (3) For airline and aircraft operations;



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



- 1           (9) For operation of concessions at county zoos, botanic  
2           gardens, or other county parks which are  
3           environmentally, culturally, historically, or  
4           operationally unique and are supported, by nonprofit  
5           corporations incorporated in accordance with state law  
6           solely for purposes of supporting county aims and  
7           goals of the zoo, botanic garden, or other county  
8           park, and operating under agreement with the  
9           appropriate agency solely for such purposes, aims, and  
10          goals;
- 11          (10) For operation of concessions that furnish goods or  
12          services for which there is only one source, as  
13          determined by the head of the awarding government  
14          agency in writing that shall be included in the  
15          contract file;
- 16          (11) For any of the operations of the Hawaii health systems  
17          corporation and its regional system boards;
- 18          (12) For airport operation of concessions; and
- 19          [+](13)[+] For the operations of the natural energy laboratory  
20          of Hawaii authority."



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.



**Report Title:**

Procurement; Parking Lot Operations; Concessions; Exemption

**Description:**

Exempts parking lot operations and ground transportation services at airports and small boat harbors from the mandatory public bidding requirements under the state procurement law.  
(SD2)

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