

Honolulu, Hawaii

FEB 15 , 2022

RE: H.B. No. 1632  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1632, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAYS,"

begs leave to report as follows:

The purpose of this measure is to promote the safety of Hana Highway and Haleakala Highway by:

- (1) Setting weight limitations for tour operators and rental vehicles;
- (2) Establishing user fees for certain vehicles to access Hana Highway and Haleakala Highway; and
- (3) Amending the Highway Development Special Fund to allow the deposit of funds received from the user fees into the special fund and authorize the funds to be used for the development and improvement of Hana Highway and Haleakala Highway.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Activities & Attractions Association of Hawaii, Inc. and one individual. Your Committee received comments on this measure from



the Department of the Attorney General and Department of Transportation.

Your Committee finds that the physical conditions of Hana Highway and Haleakala Highway are deteriorating due to their age and heavy use by Maui residents and visitors. To ensure the safety of residents and visitors, it is critical to establish vehicle weight restrictions and user fees for the development and improvement of the highways.

Your Committee notes that the Department of Transportation, in its written testimony, expressed concerns that the proposed user fees may be construed as a toll. If the user fees are construed as tolls, it would trigger certain limitations and requirements on the use of federal aid for projects on Hana Highway and Haleakala Highway. The Department of Transportation further requested time to determine whether the user fees would be construed as a toll for federal aid purposes.

Your Committee has amended this measure by clarifying that the user fees are to be assessed on the groups enumerated in this measure upon entering Hana Highway and Haleakala Highway.

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 H.B. No. 1632, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1632, H.D. 2.

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



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AARON KING JOHANSON, Chair



