

STAND. COM. REP. NO. 1445-22

Honolulu, Hawaii

MAR 24 , 2022

RE: S.B. No. 1211
S.D. 2
H.D. 1

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 S.B. No. 1211, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIERS,"

begs leave to report as follows:

The purpose of this measure is to avoid a conflict with federal law by repealing the exemption for certain vehicles used by farmers from the Motor Carrier Safety Law.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i Farm Bureau.

Your Committee finds that the federal Moving Ahead for Progress in the 21st Century Act allows the withholding of federal funds to states that fail to adopt the covered farm vehicle exemption under various classes of laws regarding motor vehicles. In its analysis of the State's laws, the Federal Motor Carrier Safety Administration determined that the State's existing exemption for vehicles used by farmers from the Motor Carrier Safety Law is in conflict with the federal covered farm vehicle exemption. As a result, the State is in jeopardy of losing federal funds that provide assistance to the State in carrying out its commercial motor vehicle safety program. This measure repeals the existing exemption for vehicles used by farmers and allows the

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State to align its exemption with the covered farm vehicle exemption as required by the federal Moving Ahead for Progress in the 21st Century Act.

Your Committee notes its intent and expectation that the Department of Transportation will work with farmers to ensure the successful transition to the new federal exemption and ensure the farmers have a safe harbor in the interim.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment 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. 1211, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1211, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



AARON LING JOHANSON, Chair



