



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 18, 2021
3:00 P.M.
State Capitol, Teleconference

S.B. 1211
RELATING TO MOTOR CARRIERS

Senate Committee on Transportation

The Department of Transportation (DOT) **strongly supports** S.B. 1211, which repeals the law relating to exemption for vehicles designated as vehicle used by farmers as set forth in Section 286-206, Hawaii Revised Statutes (HRS).

The current State law as set forth in 286-208, HRS, is outdated and superseded by the Federal regulatory requirements as set forth in 49 Council on Foreign Relations 390.39, adopted by the State of Hawaii via Hawaii Administrative Rule 19-141, defining and implementing the vehicle exemption category called "covered farm vehicle." Allowing the current statute to stand will result in a conflict in this area of the law, and given that the State of Hawaii must enact the "covered far vehicle exemption" as required under Public Law 112-141 (Moving head for Progress in the 21st Century Act), it is prudent for the State of Hawaii to repeal.

The Federal Motor Carrier Safety Administration (FMSCA) conducted a review of Hawaii's federal motor carrier program and found that Hawaii does not meet the federal requirements of this bill. Failure to implement this change could potentially disqualify Hawaii from receiving these vital Motor Carrier Safety Assistance Program (MCSAP) funds. Currently, DOT receives \$1.2 million annually in MCSAP funds and has the potential for millions of dollars in other FMCSA funds. The MCSAP funds provide financial assistance to the State in carrying out its commercial motor vehicle safety program to promote safety on Hawaii's roadways.

DOT will work with those members of the public who currently have farm exemptions as set forth under 286-208, HRS, to obtain new exemptions for "covered farm vehicles." Time and effort to do so will be the same as the current farm exemption program under the Motor Vehicle Safety Office expends.

Thank you for the opportunity to provide testimony.