

STAND. COM. REP. NO.

2461

Honolulu, Hawaii

FEB 15 2024

RE: S.B. No. 3220
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 3220 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Transfer the jurisdiction of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation;
- (2) Make conforming amendments; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Transportation; B & C Trucking Co., Ltd.; and Hawaii Transportation Association.

Your Committee received testimony in opposition to this measure from Pacific Transfer LLC.

Your Committee received comments on this measure from the Public Utilities Commission.



Your Committee finds that jurisdiction of the Motor Carrier Law is under the Public Utilities Commission in existing law. This measure, as introduced, would transfer jurisdiction to the Department of Transportation. While your Committee agrees that there are problems with the enforcement of the Motor Carrier Law, your Committee finds that transfer of the full jurisdiction of the Motor Carrier Law is inappropriate. Your Committee further finds that the Department of Transportation has a larger number of enforcement officers than the Public Utilities Commission and has a better presence throughout the State and therefore believe it is appropriate to transfer jurisdiction over the enforcement of the Motor Carrier Law to the Department of Transportation.

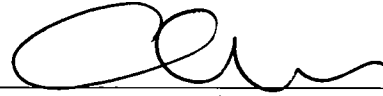
Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have transferred jurisdiction of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation except for the enforcement of the Motor Carrier Law;
- (2) Retaining language that keeps jurisdiction of the Motor Carrier Law's tariff oversight with the Public Utilities Commission;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3220, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,

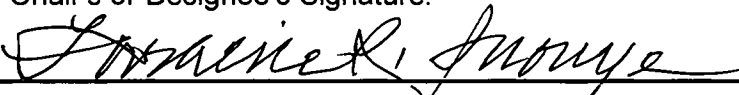


CHRIS LEE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Culture and the Arts
TCA

Bill / Resolution No.:* SB 3220	Committee Referral: TCA, CPN/WAM	Date: 2/6/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KANUHA, Dru Mamo	✓			
AWA, Brenton	✓			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes