

STAND. COM. REP. NO. **1235**-24

Honolulu, Hawaii

MAR 20, 2024

RE: S.B. No. 3220
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 3220, 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 transfer the authority to enforce the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that, under the Motor Carrier Law, the Public Utilities Commission regulates passenger and property motor carriers transporting passengers or property for compensation or hire on public highways. Passenger carriers are classified by authorized vehicle seating capacity and include tour companies, limousine services, and other transportation providers. Property carriers are classified by the types of commodities transported and the nature of services performed, namely: general commodities, household goods, commodities in dump trucks, and specific commodities.

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However, your Committee further finds that the significant number of regulated motor carriers (1,741 at the end of Fiscal Year 2023) has left the enforcement of the Motor Carrier Law lacking. The Department of Transportation has a larger number of enforcement officers who may provide for better and more consistent enforcement of motor carriers statewide. This measure therefore transfers the enforcement authority of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation.

Your Committee has amended this measure by:

- (1) For purposes of the laws governing public utilities in general, deleting language regarding the scope of a motor vehicle safety officer's enforcement authority that is duplicative of language in the existing Motor Carrier Law and inconsistent with the amendments to the Motor Carrier Law under this measure; and
- (2) Making technical, nonsubstantive amendments 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. 3220, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3220, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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



MARK M. NAKASHIMA, Chair



