

JAN 25 2017

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-26, Hawaii Revised Statutes, is
2 amended by amending subsection (h) to read as follows:

3 "(h) This section shall not apply to:

4 (1) Any motor vehicle which is covered by part XI,
5 governing safety of motor carrier vehicle operation
6 and equipment; provided that the rules adopted
7 pursuant to part IA impose standards of inspection at
8 least as strict as those imposed under subsection (g)
9 and that certification is required at least as often
10 as provided in subsections (a), (b), (c), and (d);

11 [and]

12 (2) Aircraft servicing vehicles that are being used
13 exclusively on lands set aside to the department of
14 transportation for airport purposes[-]; and

15 (3) Marine terminal equipment temporarily moving upon a
16 highway between terminal locations."



1 SECTION 2. Section 286-41, Hawaii Revised Statutes, is
2 amended by amending subsection (f) to read as follows:

3 "(f) The provisions of this part requiring the
4 registration of motor vehicles shall not apply to:

- 5 (1) Special mobile equipment;
- 6 (2) Implements of husbandry temporarily drawn, moved, or
7 otherwise propelled upon the public highways; [~~and~~]
- 8 (3) Aircraft servicing vehicles which are being used
9 exclusively on lands set aside to the department of
10 transportation for airport purposes[~~-~~]; and
- 11 (4) Marine terminal equipment temporarily moving upon a
12 highway between terminal locations."

13 SECTION 3. Section 286-105, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§286-105 What persons are exempt from license. The
16 following persons are exempt from license:

- 17 (1) Any person while driving or operating a motor vehicle
18 in the service or employ of any branch or agency of
19 the federal government; provided that the person has
20 received a license or permit from the branch or agency
21 to operate and drive the motor vehicle; provided



1 further that the branch or agency has been duly
2 authorized by the federal government to issue the
3 license or permit;

4 (2) Any person while driving or operating any road
5 machine, farm tractor, [~~or~~] implement of husbandry, or
6 marine terminal equipment, temporarily operated or
7 moved on a highway; provided that no person under the
8 age of thirteen years shall be permitted to drive or
9 operate any such road machine, farm tractor, [~~or~~]
10 implement of husbandry, or marine terminal equipment,
11 on a highway;

12 (3) Any person who is at least eighteen years of age and
13 who has in the person's possession a valid driver's
14 license to drive the categories of motor vehicles
15 listed in section 286-102(b), except section 286-
16 102(b)(4), that is equivalent to a driver's license
17 issued in this State but was issued to the person in
18 another state of the United States, the Commonwealth
19 of Puerto Rico, United States Virgin Islands, American
20 Samoa, Guam, a province of the Dominion of Canada, or
21 the Commonwealth of the Northern Mariana Islands for



1 that category of motor vehicle which the person is
2 operating;

3 (4) Any person who has in the person's possession a valid
4 commercial motor vehicle driver's license issued by
5 any state of the United States, Mexico, or a province
6 of the Dominion of Canada that issues licenses in
7 accordance with the minimum federal standards for the
8 issuance of commercial motor vehicle driver's
9 licenses; and

10 (5) Any person who drives or operates state or county
11 motor vehicles while employed by, in the service of,
12 or volunteering for the state or county fire
13 departments, provided that they are trained and
14 certified to drive category (4) motor vehicles as set
15 forth in section 286-102(b)(4) by the state or county
16 government, as appropriate, and provided that the
17 person maintains a category (3) license as set forth
18 in section 286-102(b)(3)."

19 SECTION 4. Section 291-36, Hawaii Revised Statutes, is
20 amended as follows:

21 1. By amending subsection (a) to read:



1 "(a) The director of transportation, in the case of state
2 highways, or the county engineer, in the case of county roads
3 and streets, may, upon application in writing, issue a written
4 permit authorizing the applicant to operate or move a vehicle or
5 combination of vehicles, self-propelled construction or farm
6 equipment, marine terminal equipment, or special mobile
7 equipment of dimensions or weights, including loads or both,
8 which exceed the limits set in sections 291-34 and 291-35."

9 2. By amending subsection (c) to read:

10 "(c) The application for any such permit shall
11 specifically describe the vehicle or combination of vehicles,
12 the self-propelled construction or farm equipment, the marine
13 terminal equipment, the load to be operated or moved, the
14 particular highways over which the permit to operate is
15 requested, and whether such permit is requested for a single
16 trip or for continuous operation."

17 3. By amending subsections (e) and (f) to read:

18 "(e) Every such permit shall be carried in the vehicle or
19 combination of vehicles [~~or the~~], self-propelled construction or
20 farm equipment, or marine terminal equipment to which it refers
21 and shall be open to inspection of any peace officer or traffic



1 officer or employee charged with the care or protection of the
 2 highways; provided that in the case of annual permits, this
 3 requirement may be met where a copy of the permit is carried in
 4 the vehicle, and the original permit is readily available for
 5 inspection from the operator's offices in the county of
 6 issuance.

7 (f) The owner of any vehicle or combination of vehicles
 8 [~~e~~], self-propelled construction or farm equipment, or marine
 9 terminal equipment found operating in violation of the terms or
 10 conditions of any permit or over sections of the highway not
 11 covered by the permit shall be subject to the penalties provided
 12 in section 291-37."

13 SECTION 5. This Act does not affect rights and duties that
 14 matured, penalties that were incurred, and proceedings that were
 15 begun before its effective date.

16 SECTION 6. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 7. This Act shall take effect upon its approval.
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INTRODUCED BY:

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S.B. NO. 1030

Report Title:

Marine Terminal Equipment; Safety Inspection; Vehicle
Registration; License

Description:

Provides exemptions from vehicle registration, safety inspection, and driver licensure requirements for marine terminal equipment. Allows the operation of marine terminal equipment on a highway between terminal locations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

