

S.B. NO. 1211

JAN 27 2021

A BILL FOR AN ACT

RELATING TO MOTOR CARRIERS.

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

SECTION 1. **Section 286-208**, Hawaii Revised Statutes is repealed.

~~["**~~\$286-208~~** Exemptions, vehicles used by farmers. This part shall not apply to motor vehicles used by a farmer exclusively for the farmer's farm operations or to motor vehicles used by a farmer who only infrequently transports from the place of production to a warehouse, regular market, place of storage, or place of shipment, the farm products of neighboring farmers in exchange for like or reciprocal services, for farm products, or for a cash consideration not exceeding \$1,500 per year; provided that the transportation of farm produce shall constitute the sole transportation of property for hire or compensation and; provided further that each motor vehicle so used complies with the safety ordinances and rules of the county in which it is operated and other applicable state safety laws and rules."]~~

SECTION 2. Statutory material to be repealed is bracketed and stricken.

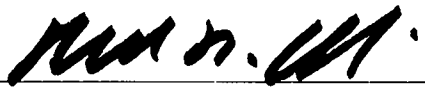
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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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Report Title:

Department of Transportation; Farm Vehicle

Description:

Repeals the law relating to exemption for vehicles designated as vehicles used by farmers as set forth in section 286-208, Hawaii Revised Statutes.

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

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO MOTOR CARRIERS.

PURPOSE: To repeal the law relating to exemption for vehicles designated as farm use only as set forth in section 286-208, Hawaii Revised Statutes (HRS).

MEANS: Repeal section 286-208, HRS.

JUSTIFICATION: The current State law as set forth in section 286-208, HRS, is outdated and superseded by the Federal regulatory requirements as set forth in 49 CFR sections 390.5 and 390.39, adopted by the State of Hawaii via chapter 19-141, Hawaii Administrative Rules, 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 farm vehicle exemption" as required under Public Law 112-141 (Moving Ahead for Progress in the 21 Century Act), it is prudent for the State of Hawaii to repeal section 286-208.

Impact on the public: Those members of the public who currently have farm exemptions as set forth under section 286-208, HRS, will need to work with Hawaii Department of Transportation 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.

Impact on the department and other agencies:
No anticipated impact on other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION:

TRN 597.

OTHER AFFECTED

AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.