

JAN 17 2025

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that chapter 279J, Hawaii
2 Revised Statutes, was enacted to establish statewide regulation
3 of transportation network companies to provide operational
4 consistency across the State and establish a permitting process
5 within the department of transportation.

6 The legislature further finds that transportation network
7 companies are required to adopt a policy of non-discrimination
8 on the basis of destination, race, color, ancestry, national
9 origin, religious belief or affiliation, sex, disability, age,
10 sexual orientation, or gender identity or expression with
11 respect to riders and potential riders and notify the
12 transportation network company drivers of the policy.

13 The legislature additionally finds that transportation
14 network company drivers are required to comply with all
15 applicable laws to accommodate service animals. Despite these
16 requirements, there have been many reports of passengers being



1 denied service by drivers due to being accompanied by a service
2 animal.

3 Accordingly, the purpose of this Act is to require the
4 civil rights commission to receive and investigate complaints
5 related to acts of discrimination committed by transportation
6 network company drivers and report its findings to the
7 department of transportation, which shall issue penalties to
8 transportation network companies.

9 SECTION 2. Chapter 279J, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 **"§279J- Complaint against unfair discrimination;**
13 **service animals; civil rights commission.** The civil rights
14 commission shall receive complaints of unfair discriminatory
15 treatment of riders by transportation network company drivers in
16 violation of section 279-10(c) in accordance with the procedures
17 established under chapter 368."

18 SECTION 3. Section 279J-10, Hawaii Revised Statutes, is
19 amended to read as follows:

20 **"[f]§279J-10[f] Non-discrimination; accessibility. (a)**

21 The transportation network company shall adopt a policy of



1 non-discrimination on the basis of destination, race, color,
2 ancestry, national origin, religious belief or affiliation, sex,
3 disability, age, sexual orientation, or gender identity or
4 expression with respect to riders and potential riders and shall
5 notify transportation network company drivers of the policy.

6 The transportation network company shall be accountable for and
7 ensure compliance with this section.

8 (b) In addition to any policy established pursuant to
9 subsection (a), transportation network company drivers shall
10 comply with all applicable laws regarding non-discrimination
11 against riders or potential riders on the basis of destination,
12 race, color, ancestry, national origin, religious belief or
13 affiliation, sex, disability, age, sexual orientation, or gender
14 identity or expression.

15 (c) Transportation network company drivers shall comply
16 with all applicable laws to accommodate service animals. For
17 purposes of this subsection, "service animal" has the same
18 meaning as defined in section 347-2.5.

19 (d) A transportation network company shall not impose
20 additional charges for providing services to persons with
21 physical disabilities.



1 (e) Notwithstanding section 279J-11, when the civil rights
2 commission, pursuant to section 279J- , has found that a
3 transportation network company driver has violated subsection
4 (c), the civil rights commission shall report the results of its
5 investigation of the complaint to the department, which shall
6 issue penalties to the transportation network company as
7 follows:

8 (1) For each violation, a fine of \$5,000;

9 (2) For three violations within a period of twelve
10 consecutive months, a warning that the transportation
11 network company's permit is at risk of suspension; and

12 (3) For ten or more cumulative violations, suspension of a
13 transportation network company's permit for a period
14 of no less than twelve consecutive months.

15 The department shall make the penalties established pursuant to
16 this section publicly available on the department's website."

17 SECTION 4. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 5. New statutory material is underscored.

21 SECTION 6. This Act shall take effect upon its approval.



S.B. NO. 1209

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INTRODUCED BY:





S.B. NO. 1209

Report Title:

Transportation Network Companies; Civil Rights Commission;
Discrimination; Service Animals; Violations; Penalties; Fines

Description:

Requires the Civil Rights Commission to receive and investigate complaints related to acts of discrimination committed by transportation network company drivers against riders with service animals and report the results of its investigation to the Department of Transportation, which shall issue penalties to transportation network companies.

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

