

Honolulu, Hawaii
, 2026

APR 06

RE: S.B. No. 3144
S.D. 1
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 3144, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY
AND HEALTH LAW,"

begs leave to report as follows:

The purpose of this measure is to update the Hawaii
Occupational Safety and Health Law by:

- (1) Repealing the authority for the Department of Labor and
Industrial Relations to regulate hoisting machines and
certify their operators;
- (2) Allowing the Director of Labor and Industrial Relations
to complete an investigation of a discharge or
discrimination complaint without formal extension; and
- (3) Repealing the Hoisting Machine Operators Advisory Board.

Your Committee received testimony in support of this measure
from the Department of Labor and Industrial Relations.

Your Committee finds that the Hoisting Machine Operators
Advisory Board was established in 1998, prior to the adoption of



federal crane operator certification standards. Following the federal Occupation Safety and Health Administration's (OSHA) issuance of the Cranes and Derricks in Construction standard in 2010, and due to repeated delays at the federal level regarding enforcement, the State adopted separate state certification requirements for hoisting machine operators. As a result, operators are required to obtain a state certificate in addition to OSHA-compliant certification, even though the state certificate is issued only after federal certification and is not required by OSHA. Your Committee further finds that this duplicative requirement imposes additional administrative burdens without enhancing safety, and that repealing the Hoisting Machine Operators Advisory Board would streamline regulation while preserving federal certification standards.

Your Committee also finds that investigations of whistleblower complaints can involve complex factual, legal, and procedural issues that cannot always be resolved within the existing ninety-day timeframe. Under existing law, rigid investigation deadlines may limit the Department's ability to fully develop the record, particularly in cases involving multiple parties, extensive documentation, or technical analysis. Your Committee additionally finds that allowing limited extensions, with appropriate oversight and notice, will enable more thorough and accurate investigations while providing employees and employers with clearer expectations regarding the timing and resolution of complaints.


Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2026; 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. 3144, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3144, S.D. 1, H.D. 2.



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



SCOT Z. MATAOSHI, Chair



