

ACT 57

H. B. NO. 858

A Bill for an Act Relating to Hawaii Motor Carrier Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The second sentence of Section 106C-11(c), Revised Laws of Hawaii 1955, as amended, is amended to read as follows:

“In determining whether issuance of a permit will be consistent with the public interest and the transportation policy, the commission shall consider the number of shippers to be served by the applicant, the nature of the service proposed, whether the proposed service can be or is being properly performed by existing common carriers, the effect which granting the permit would have upon the services of the protesting carriers, the effect which denying the permit would have upon the applicant’s proposed shipper or shippers, and the changing character of shipper requirements; provided, however, that a permit shall not be issued in any case where it has been established that an existing common carrier is properly performing, the proposed service.”

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SECTION 2. Notwithstanding the adoption of Act 16, Session Law of Hawaii, 1968, this Act shall have full force according to its intent. Upon the taking effect of this Act or the Hawaii Revised Statutes, whichever occurs later, this Act shall be construed to be in amendment of or in addition to the Hawaii Revised Statutes, all references in this Act being construed to refer to the applicable or corresponding provisions of the Hawaii Revised Statutes.

The Revisor of Statutes may reword and renumber the references in this Act and make such other formal or verbal changes as may be necessary to conform with the Hawaii Revised Statutes.

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

(Approved June 10, 1969.)