

## ACT 146

S.B. NO. 2006-80

A Bill for an Act Relating to State Highways.

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

SECTION 1. Section 264-6, Hawaii Revised Statutes, is amended to read:

**“Sec. 264-6 State highway not to be disturbed without permit.** No person or government agency, whether federal, state, or county, shall, in any manner or for any purpose do any of the following acts without a written permit from the director of transportation or his authorized representative:’

- (1) Break up, dig up, disturb, undermine or dig under, or cause to be broken up, dug up, disturbed, undermined, or dug under, the right-of-way of any state highway; or
- (2) Place, erect, leave, or store any structure, motor or other vehicle, equipment, or any other object wholly or partially within the right-of-way of any state highway; provided that this paragraph shall not apply to the holding or displaying of movable signs, for the purpose of carrying on political campaign activities.”

SECTION 2. Section 264-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read:

“(a) Any person or government agency desiring the permit required by section 264-6 shall apply for a permit on a form prescribed by the director of transportation. Any permit issued shall be conditioned upon the adherence of the applicant to the requirements of sections 264-8 and 264-9; provided that on awarding any contract for the construction, reconstruction, maintenance or repair of any state highway or federal-aid highway project, the director of transportation or his authorized representative shall ascertain whether the work to be done by the terms of that contract will require the contractor, his employees, or his agents to engage in any of the activities enumerated in section 264-6(1) and (2) and, if one or more such activities is likely to be required, shall issue the permit required by section 264-6, waiving the fee requirements imposed by subsection (b) of this section.”

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SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 4. This Act shall take effect upon its approval.

(Approved May 28, 1980.)

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\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.