

ACT 20

S.B. NO. 3152

A Bill for an Act Making an Emergency Appropriation to the Department of Transportation.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with article VII, of section 9 of the Constitution of the State of Hawaii.

SECTION 2. The legislature finds that Act 88, Session Laws of Hawaii 2021, provided \$15,000,000 in highways special funds for the highways division's special maintenance program in fiscal year 2021-2022. This Act will increase the total to \$35,000,000 for the special maintenance program in fiscal year 2021-2022. The purpose of the highways division's special maintenance program is to preserve the State's initial capital investment and to prolong the life of the highway facility. Traffic, weather, and age are the major causes of the facility deterioration. The special maintenance program is a systematic maintenance program to prevent further and accelerated deterioration of the highway facility. The intent of the special maintenance program is to avoid major repairs and to minimize routine maintenance costs. Since the closing of the 2021 regular session, the state highway fund balance is projected to be greater than anticipated due to the passage of Act 237, Session Laws of Hawaii 2021, which increased the rental motor vehicle surcharge tax each year by \$0.50 from January 1, 2022, to December 31, 2027; the state highway fund's receipt of \$42,000,000 in federal funds from the Coronavirus Response and Relief Supplemental Appropriations Act of 2021; and the State's better-than-anticipated economic recovery.

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Accordingly, the purpose of this Act is to make an emergency appropriation to the department of transportation to authorize additional funding for the highways division's special maintenance program.

SECTION 3. There is appropriated out of the state highway fund the sum of \$20,000,000 or so much thereof as may be necessary for fiscal year 2021-2022 for the department of transportation to provide funding for the highways division's special maintenance program.

The sum appropriated shall be expended by the department of transportation for the purposes of this Act; provided that the funds appropriated shall not lapse at the end of the fiscal year for which they were appropriated, but any moneys unspent and unencumbered as of June 30, 2023, shall lapse on that date.

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

(Approved May 5, 2022.)