

**SB 2459**



**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 1, 2010

**TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION**

SENATE BILL NO. 2459

Committee on Transportation, International and Intergovernmental Affairs

The Department of Transportation (DOT) cannot support this bill, as we believe that the proposed measure would severely compromise one of the projects/goals of the State's Commercial Vehicle Information System Network (CVISN) grant, thereby reducing the ability of the Hawaii Department of Transportation (HDOT) to register and issue an intrastate DOT number to commercial motor carriers who do not meet the standards of being issued an interstate DOT number.

Hawaii is scheduled to receive a \$3.5 million CVISN grant from the Federal Motor Carrier Safety Administration. Some goals that have been identified within the CVISN grant are:

- Improve transportation safety by applying enforcement and other resources to commercial vehicle operators where safety risks are more likely to exist;
- Issuance of USDOT numbers to intrastate carriers; and
- Improve the screening and selection of vehicles and containers for enforcement operations.

This measure, more specifically the last sentence of the proposed section that reads, "The department of transportation shall not require a commercial motor vehicle under this section to obtain a United States of Transportation number for intrastate commerce" creates a great concern for HDOT.

HDOT wants to make sure that we have an accurate record of who is operating commercial motor vehicles within the State of Hawaii. However, this measure would prevent HDOT from requiring all commercial motor vehicle operators/owners to provide accurate, verifiable information when applying for an USDOT number for intrastate commerce. Moreover, this creates security concerns; especially in the environment we reside in today of security issues, terrorist activity and security breaches. Ultimately, this would place everyone in Hawaii at risk.



February 1, 2010

**TESTIMONY BEFORE THE SENATE COMMITTEE ON  
TRANSPORTATION, INTERNATIONAL & INTERGOVERNMENTAL AFFAIRS  
ON SB 2459 RELATING TO MOTOR CARRIERS**

Thank you Chair English and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) with over 400 transportation related members throughout the state of Hawaii.

Hawaii Transportation Association has concerns about this bill.

Motor carriers in intrastate commerce are not required to obtain a U.S. DOT number, unless they are required to have a Safety Permit under Title 49 Code of Federal Regulations, Part 385, Subpart E (hazardous materials).

However, there will come a day when that all intrastate carriers will be required to obtain the U.S. DOT number, either by federal amendment or by state adoption of the current rule in 49 CFR, Part 390.19.

Not having uniform regulations subjects the state to loss of funds.

Thank you.

Testimony to the Senate Committee on Transportation, International and Intergovernmental Affairs  
Honorable J. Kalani English, Chair  
Honorable Mike Gabbard, Vice Chair

#### TESTIMONY IN SUPPORT WITH AMENDMENTS FOR SB2459

The problem with the bill is the way it was submitted. The spelling of interstate on line 9 should be intrastate (within the state) and line 16 intrastate it should be interstate (across state lines) these two should be swapped. Trucks with an interstate DOT number is now allowed on the pier. It is the one with the intrastate number that is prohibited from hauling any freight that comes in or is leaving the state.

The distinction between the destination of the trucks hauling the goods and the destination of the goods should be clarified. Trucks haul goods to the pier with goods destined for the mainland. The goods are going interstate but the trucks are going intrastate. Therefore, this Bill should allow the trucks to go onto the pier and deliver the goods without having a DOT number because a ship will transport it to the mainland and a mainland truck will deliver the goods interstate.

Thank you,

Brendan Balthazar  
Diamond B Ranch

# MAUI CATTLEMEN'S ASSOCIATION

*Maui Cattlemen's  
Association*

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*John Kim*

*Mike Murakami*

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*Sustaining  
ranching  
communities in  
Hawaii*

## TESTIMONY

January 30, 2010

Submitted via email: [TIATestimony@Capitol.hawaii.gov](mailto:TIATestimony@Capitol.hawaii.gov)

FROM: Maui Cattlemen's Association

TO: COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND  
INTERGOVERNMENTAL AFFAIRS

HEARING DATE: Monday February 1, 2010

HEARING TIME: 1:15 p.m. State Capitol Conference room 224

MEASURE #: SB 2459 RELATING TO MOTOR CARRIERS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair,

The Maui Cattlemen's Association is a non-profit organization representing small and large Livestock producers in Maui County.

We **SUPPORT SB 2459** RELATING TO MOTOR CARRIERS providing the language in the Senate Bill is absolutely clear, that the Department of Transportation shall not require a commercial motor vehicle to obtain a United States Department of Transportation number for intrastate commerce.

We believe that local trucks haul goods to the pier, or airport for that matter, which are destined for other states. Therefore, the trucks are not making the interstate trip. Because large bodies of water separate us, all our trucks in the state, cannot transport freight to another state. In truth, all trucks in Hawaii should fall under the "intrastate" category.

Thank you for introducing the Bill, and the opportunity to provide comment on SB2459

You may reach Maui Cattlemen's Association through the address provided above.

Sincerely,

William Jacintho, President

Amber Starr, Vice President