

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 1093
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Transportation and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1093, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish rules, regulations, and permitting procedures for transportation network companies;
- (2) Specify that transportation network companies and their drivers are excluded from the Motor Carrier Law;
- (3) Make permanent insurance requirements for transportation network companies and their drivers; and
- (4) Make an appropriation to the Department of Transportation to administer the new rules, regulations, and permitting procedures.

Your Committees received testimony in support of this measure from the Department of Transportation, Lyft, and Uber. Your Committees received testimony in opposition to this measure from



Charley's Taxi; Hawaii Transportation Association; Roberts Hawaii, Inc; Hawaii Passenger and Property Carriers Association; Matsumoto and Clapperton; and a form letter in opposition signed by 174 individuals. Your Committees received comments on this measure from the City and County of Honolulu Department of Transportation Services.

Your Committees find that transportation network companies enhance access to transportation options for residents and visitors of the State by providing a convenient and alternative means of transportation. Your Committees further find that there has been a rise in popularity of transportation network companies in recent years and their services are being utilized by numerous individuals, both as customers and as drivers. Your Committees believe statewide regulation of transportation network companies is necessary to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network companies.

Your Committees note that Senate Bill No. 1161, S.D. 2 (Regular Session of 2019), which was previously passed by the Senate, is a substantially similar measure that, among other things, also establishes rules, regulations, and permitting procedures for transportation network companies operating in the State. Your Committees believe that the language in Senate Bill No. 1161, S.D. 2, is preferable as it addresses concerns provided by Lyft in their testimony, including clarifying the definition of "transportation network company", clarifying transportation network company driver requirements, and distinguishing between service animals and assistance animals.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and replacing it with the contents from Senate Bill No. 1161, S.D. 2, which:
 - (A) Establishes rules, regulations, and permitting procedures for transportation network companies;
 - (B) Makes permanent insurance requirements for transportation network companies and their drivers; and



- (C) Makes it effective upon approval; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1093, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1093, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Commerce, Consumer
Protection, and Health,

Rosalyn H. Baker

ROSALYN H. BAKER, Chair

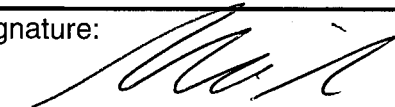
Lorraine R. Inouye

LORRAINE R. INOUYE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.: <i>HB1093, HD 2</i>	Committee Referral: <i>TRS/CPH, WAM</i>	Date: <i>3/20/19</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	/			
HARIMOTO, Breene (VC)				/
ENGLISH, J. Kalani				/
SHIMABUKURO, Maile S.L.	/			
FEVELLA, Kurt		/		
TOTAL	<i>2</i>	<i>1</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

