
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 264-19, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§264-19] Transportation improvement special fund. (a)~~
4 ~~There is created within the state treasury the transportation~~
5 ~~improvement special fund to fund qualified transportation~~
6 ~~projects and to receive reimbursements from private developers~~
7 ~~who have been advanced public funds to fulfill the conditions of~~
8 ~~land use development relating to transportation.~~

9 ~~The director may expend from the special fund such sums as~~
10 ~~are necessary to advance transportation projects, including~~
11 ~~administrative expenses, to the extent permissible:~~

12 ~~(1) When such projects:~~

13 ~~(A) Have been identified in or are consistent with~~
14 ~~the statewide transportation plan adopted~~
15 ~~pursuant to chapter 279A; and~~

16 ~~(B) Satisfy all applicable federal and state~~
17 ~~eligibility requirements; or~~



1 ~~(2) When the director determines that funds previously~~
2 ~~authorized for the aforementioned projects are~~
3 ~~inadequate or any delay in the completion of such~~
4 ~~projects would unnecessarily increase their cost or~~
5 ~~intensify undesirable transportation conditions.~~

6 ~~(b) Expenditures from the special fund shall be made on~~
7 ~~vouchers approved by the director or such other officer as may~~
8 ~~be designated by the director.~~

9 ~~(c) There shall be credited to the special fund all~~
10 ~~reimbursements and any interest earned or penalty accrued on~~
11 ~~late payments thereon received from developers who have been~~
12 ~~advanced public funds to fulfill the conditions of land use~~
13 ~~development relating to transportation or other transportation~~
14 ~~requirements imposed upon such developers.~~

15 ~~(d) Expenditures from the special fund may not be made by~~
16 ~~the director without appropriation by the legislature. No~~
17 ~~expenditure shall be made from, and no obligation shall be~~
18 ~~incurred against, the special fund in excess of the amount~~
19 ~~standing to the credit of the special fund or for any purpose~~
20 ~~for which moneys from the special fund may not lawfully be~~
21 ~~expended.~~



1 ~~(e) The department of transportation shall prepare and~~
2 ~~submit an annual report to the legislature on the use of the~~
3 ~~transportation improvement special fund which shall include, but~~
4 ~~not be limited to:~~

5 ~~(1) The [special] fund balance and the expenses made from~~
6 ~~the [special] fund for the immediately preceding~~
7 ~~fiscal year; and~~

8 ~~(2) Proposed appropriations from the [special] fund for~~
9 ~~the next fiscal year.~~

10 ~~This report shall be submitted to the legislature no later~~
11 ~~than twenty days prior to the convening of each legislative~~
12 ~~session.~~

13 ~~(f) The director may adopt rules pursuant to chapter 91~~
14 ~~necessary to effectuate the purposes of, and to administer, this~~
15 ~~section.~~

16 ~~(g) As used in this section:~~

17 ~~"Director" means the director of transportation.~~

18 ~~"Special fund" means the transportation improvement special~~
19 ~~fund."]~~

20 SECTION 2. Section 266-2.3, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§266-2.3] Kewalo basin use permit; Honolulu harbor use~~
2 ~~permit; portability. (a) Notwithstanding any law to the~~
3 ~~contrary, the department of transportation shall allow, on a~~
4 ~~space available basis, a vessel with a use permit authorizing~~
5 ~~the vessel to moor in Kewalo basin to moor in Honolulu harbor at~~
6 ~~no additional cost and with no additional use permit required~~
7 ~~under the following conditions:~~

8 ~~(1) The manager of Kewalo basin prohibits entrance into~~
9 ~~Kewalo basin because of inclement weather or ocean~~
10 ~~conditions; provided that as soon as the manager of~~
11 ~~Kewalo basin opens the entrance to vessels, the vessel~~
12 ~~shall leave Honolulu harbor;~~

13 ~~(2) The owner or operator of a commercial fishing vessel~~
14 ~~desires to sell the owner's or operator's catch of~~
15 ~~fish to a business operating within Honolulu harbor or~~
16 ~~otherwise conduct business within Honolulu harbor;~~
17 ~~provided that the vessel shall not moor in Honolulu~~
18 ~~harbor for a period longer than is necessary to unload~~
19 ~~all or some of the catch of fish for sale or otherwise~~
20 ~~conduct business; and~~



1 ~~(3) The owner of the vessel is current in its payments of~~
2 ~~any moneys, rates, fees, dues, compensation, fines, or~~
3 ~~penalties assessed against the vessel that are due to~~
4 ~~the State.~~

5 ~~(b) Notwithstanding any law to the contrary, the~~
6 ~~department with jurisdiction over Kewalo basin shall allow, on a~~
7 ~~space available basis, a vessel with a use permit authorizing~~
8 ~~the vessel to moor in Honolulu harbor to moor in Kewalo basin at~~
9 ~~no additional cost and with no additional use permit required~~
10 ~~subject to the discretion of the harbor manager of Kewalo basin.~~

11 ~~(c) The director of transportation shall adopt rules~~
12 ~~pursuant to chapter 91, to implement this section."]~~

13 SECTION 3. Section 266-22, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§266-22 Maintenance of fire boat. The cost of operating~~
16 ~~and maintaining the fire boat shall be borne by the department~~
17 ~~of transportation. The department shall pay annually from its~~
18 ~~special fund for the operation and maintenance costs."]~~

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken.

21 SECTION 5. This Act shall take effect on July 1, 2050.



S.B. NO. 1213 S.D. 1

Report Title:

Department of Transportation; Hawaii Revised Statutes, Repeal

Description:

Repeals sections 264-19, 266-2.3, and 266-22, Hawaii Revised Statutes, for the purpose of deleting obsolete or unnecessary provisions. Effective 7/1/2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

