



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

GOV. MSG. NO. 1391

July 8, 2013

The Honorable Donna Mercado Kim,
President and Members
of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of
the House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

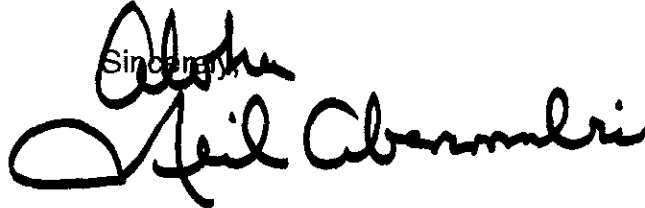
Re: Senate Bill No. 1214, S.D. 1, H.D. 2, C.D. 1

Senate Bill No. 1214, S.D. 1, H.D. 2, C.D. 1, entitled "A BILL FOR AN ACT RELATING TO TRANSPORTATION" will become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to repeal the Commission on Transportation and to prohibit any entity from applying a wheel boot to a motor vehicle on any public or private property.

Although wheel boots may be a viable alternative to towing, especially on private property, further exploration is necessary. This is a new way of doing business that affects people's personal property and such businesses should be regulated, similar to regulation of the towing industry. I urge the Legislature to consider such regulation in the future.

For the foregoing reasons, Senate Bill No. 1214, S.D. 1, H.D. 2, C.D. 1 will become law as Act 285, Session Laws of Hawaii 2013, effective July 9, 2013, without my signature.

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Permitted to become law without the

Governor's signature JUL 9 2013

THE SENATE
TWENTY-SEVENTH LEGISLATURE, 2013
STATE OF HAWAII

ACT 285
S.B. NO.

1214
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

PART I

SECTION 1. Section 26-19, Hawaii Revised Statutes, is amended to read as follows:

"§26-19 Department of transportation. The department of transportation shall be headed by a single executive to be known as the director of transportation. The department shall establish, maintain, and operate transportation facilities of the State, including highways, airports, harbors, and such other transportation facilities and activities as may be authorized by law.

The department shall plan, develop, promote, and coordinate various transportation systems management programs that shall include, but not be limited to, alternate work and school hours programs, bicycling programs, and ridesharing programs.

The department shall develop and promote ridesharing programs which shall include but not be limited to, carpool and vanpool programs, and may assist organizations interested in promoting similar programs, arrange for contracts with private



1 organizations to manage and operate these programs, and assist
2 in the formulation of ridesharing arrangements. Ridesharing
3 programs include informal arrangements in which two or more
4 persons ride together in a motor vehicle.

5 The functions and authority heretofore exercised by the
6 department of public works with respect to highways are
7 transferred to the department of transportation established by
8 this chapter.

9 On July 1, 1961, the Hawaii aeronautics commission, the
10 board of harbor commissioners and the highway commission shall
11 be abolished and their remaining functions, duties, and powers
12 shall be transferred to the department of transportation.

13 ~~[Upon the abolishment of the Hawaii aeronautics commission,~~
14 ~~the board of harbor commissioners, and the highway commission,~~
15 ~~there shall be established within the department of~~
16 ~~transportation a commission to be known as the commission on~~
17 ~~transportation which shall sit in an advisory capacity to the~~
18 ~~director of transportation on matters within the jurisdiction of~~
19 ~~the department of transportation. The commission on~~
20 ~~transportation shall consist of not more than eleven members,~~
21 ~~with the number of members from each county insofar as~~
22 ~~practicable being approximately proportional to the population~~



1 ~~of the respective counties to the population of the State,~~
2 ~~provided that each of the four counties shall be represented by~~
3 ~~at least one member.] "~~

4 **PART II**

5 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding a new section to part XI to be appropriately
7 designated and to read as follows:

8 "§291C- Wheel boots prohibited. (a) It shall be
9 unlawful for a person or entity, including any county police
10 department, to apply or cause to be applied, a wheel boot to a
11 motor vehicle located on any public or private street, roadway,
12 or highway, as applicable, or on any public or private property,
13 as applicable.

14 (b) For purposes of this section, "wheel boot" includes a
15 tire lock, denver boot, wheel clamp, or wheel immobilizer.

16 (c) Any person, entity, or police department violating
17 this section shall be fined \$100 for each application of a wheel
18 boot."

19 **PART III**

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22



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

APPROVED this day of , 2013

GOVERNOR OF THE STATE OF HAWAII