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## RESOLUTION

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REQUESTING THAT THE CITY CREATE AND FUND A SOLID WASTE TECHNOLOGY LIAISON POSITION IN THE EXECUTIVE OPERATING BUDGET FOR FISCAL YEAR 2013.

WHEREAS, the runoff of medical waste on to Leeward coast beaches earlier this year and the subsequent orders issued by the U.S. Environmental Protection Agency highlight that a crisis exists with respect to the City's only municipal solid waste landfill; and

WHEREAS, the State Land Use Commission has ordered that except for ash and residue from the H-Power plant, the City's landfill at Waimanalo Gulch is to be closed to municipal solid waste by July 31, 2012; and

WHEREAS, to comply with the Commission's order, the City has begun the lengthy process of selecting a site for a new municipal landfill on Oahu; and

WHEREAS, in light of the waste runoff earlier this year and the impending landfill closure, there is a valid and pressing need for the City to utilize alternative technologies, such as recycling, plasma arc and incineration facilities, to dispose of the City's municipal solid waste and also produce usable products; and

WHEREAS, it may take a substantial amount of time to permit, approve and build new solid waste disposal and recycling facilities; and

WHEREAS, the creation of a solid waste technology liaison could facilitate the implementation of new solid waste disposal and recycling facilities and expedite the permitting and approval processes at the city level; and

WHEREAS, the duties and responsibilities of a solid waste technology liaison would generally include, but not necessarily be limited to, identifying ways to fast track city permitting and approval processes including vendor solicitation and selection, land use, zoning and building permits and other approvals which may be required for the establishment of new incinerator, plasma arc or other municipal solid waste disposal and recycling facilities that also produce useful products; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Mayor is requested to create and fund a solid waste technology liaison at a salary of \_\_\_\_\_ per year in the Executive Operating Budget for Fiscal Year 2013 to expedite the implementation of new solid waste disposal and recycling technologies including those that can produce useful products; and



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## RESOLUTION

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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Director of the Department of Environmental Services, the State Land Use Commission, and the State Department of Health.

INTRODUCED BY:

TOM PERA

DATE OF INTRODUCTION:

SEP 19 2011

Honolulu, Hawaii

Councilmembers



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## RESOLUTION

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**URGING THE ADMINISTRATION TO PROPOSE INCREASED GOLF FEES IN AN AMOUNT SUFFICIENT TO COVER ALL OPERATING AND DEBT SERVICE EXPENSES.**

WHEREAS, the City operates and maintains six municipal golf courses – five eighteen-hole golf courses (Ala Wai, Pali, Ted Makalena, West Loch, and Ewa Villages) and one nine-hole golf course (Kahuku); and

WHEREAS, operating expenses for the golf courses include the costs for the maintenance of the golf courses, automated reservation systems, enforcement of golf course rules and regulation and collecting and accounting for golf course fees; and

WHEREAS, debt service expenses for the golf courses are the amounts owed for the principal and interest on the portion of bonds issued for capital projects for the golf courses; and

WHEREAS, because revenues collected from the golf operations are not sufficient to cover operating and debt service expenses for the golf courses, it is necessary for the general fund to subsidize the golf fund; and

WHEREAS, for fiscal year 2012, the total gross appropriation from the golf fund including both operating and debt service expenses was \$20,568,489, while the amount of the general fund subsidy to the golf fund was \$9,827,888, or over 47 percent; and

WHEREAS, the Council believes that the golf course function should be self sufficient and that golf course fees should be raised to cover all operating and debt service expenses; now, therefore,

**BE IT RESOLVED** by the Council of the City and County of Honolulu that the administration is urged to submit a bill to the council proposing golf course fees in an amount sufficient to cover all operating and debt service expenses without a general fund subsidy; and



**RESOLUTION**

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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Director of Budget and Fiscal Services and the Director of Enterprise Services.

INTRODUCED BY:

*Tom Boen*

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DATE OF INTRODUCTION:

**OCT 24 2011**

Honolulu, Hawaii

Councilmembers



## RESOLUTION

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### URGING THE CITY ADMINISTRATION TO EASE REQUIREMENTS FOR THE INSTALLATION OF SUBMETERS BY RESIDENTIAL SEWER USERS.

WHEREAS, residential sewer users in the city are assessed a sewer service charge consisting of a monthly base charge and a monthly usage charge; and

WHEREAS, the monthly usage charge includes a charge per 1,000 gallons of metered water consumed over an initial 2,000 gallons, including an 18 percent water irrigation factor credit to reflect that water used for purposes such as irrigation and washing vehicles is not discharged into the sewer system; and

WHEREAS, ROH Section 14-6.4A provides that residential sewer users may, upon request to and approval of the Director of Environmental Services, be permitted to install and maintain, at the user's expense, a water meter for submetering nonsewer water; and

WHEREAS, in such cases, the sewer user shall not have the water consumed reduced by the 18 percent water irrigation factor, but instead the sewer service charge shall be based in part on the amount of water actually discharged to the public sewer utilizing submeter readings; and

WHEREAS, the city's requirements for the installation of a submeter currently include, among other things, the issuance of a building permit and the approval of plans certified by a licensed civil or mechanical engineer or an architect; and

WHEREAS, such requirements may be onerous for the homeowner who desires to install a submeter; and

WHEREAS, the Council believes that submetering benefits both residential sewer users by allowing them to exercise control over their sewer usage charge and the community at large by promoting water conservation; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the city administration is urged to ease requirements for the installation of submeters by residential sewer users; and

BE IT FURTHER RESOLVED that measures considered by the city administration for such easing shall include replacing the requirements for a building permit and plans certified by a licensed civil or mechanical engineer or an architect with a requirement that the submeter be installed by a licensed plumber; and



**RESOLUTION**

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BE IT FURTHER RESOLVED that the city administration shall, if deemed necessary, propose legislation to the Council to facilitate such easing; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Director of Environmental Services, the Director of Planning and Permitting, and Chairman of the Board of Water Supply.

INTRODUCED BY:

Tom Berg

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DATE OF INTRODUCTION:

OCT 25 2011

Honolulu, Hawaii

Councilmembers



## RESOLUTION

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REQUESTING THE HAWAII STATE LEGISLATURE ADOPT A BILL REQUIRING PROOF OF MOTOR VEHICLE INSURANCE TO PURCHASE FUEL.

WHEREAS, pursuant to HRS section 431:10C-104, no person shall operate or use a motor vehicle unless the vehicle is insured under a motor vehicle insurance policy; and

WHEREAS, *The Honolulu Advertiser* reported in a January 23, 2009 article that a new study by the Insurance Research Council states that about one in eight or approximately twelve per cent of Hawaii drivers were uninsured in 2007 and projects the number of motorists without insurance will increase as unemployment rises; and

WHEREAS, the State Insurance Commissioner responded to the study saying the twelve per cent estimate is actually a little low for Hawaii, and some believe that the actual number is closer to one in five; and

WHEREAS, according to the insurance commissioner in a January 2, 2011 *Hawaii Tribune Herald* article, seventeen per cent of the drivers on Hawaii's road are uninsured; and

WHEREAS, using the latest numbers available from the 2010 State Data Book, there are 720,267 registered passenger vehicles on Honolulu's roads and 618,975 licensed drivers; and

WHEREAS, assuming seventeen per cent of passenger vehicles are uninsured, this amounts to 122,445 uninsured vehicles that should not be on the roads, which are adding to Oahu's traffic; and

WHEREAS, uninsured motorists increase insurance costs for properly insured motorists; and

WHEREAS, it is the council's understanding that, currently, violations of the motor vehicle insurance requirement are only discovered if a motor vehicle is stopped for an offense and the driver is unable to provide the police officer with the required proof of insurance; and

WHEREAS, one suggested approach to removing uninsured vehicles from the road is to deny them access to purchase fuel at service stations, by issuing plastic magnetic strip motor vehicle insurance cards to be placed into the credit card slot to confirm that a motor vehicle is insured before fuel can be purchased; and



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## RESOLUTION

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WHEREAS, a motor vehicle insurance card that is electronically readable has other benefits, such as:

- (1) Reducing the number of uninsured motor vehicles;
- (2) Reducing insurance costs by reducing the premium of uninsured motorists coverage; and
- (3) Coordinating insurance requirements with other requirements such as driver licenses and safety checks;

and

WHEREAS, since HRS Chapter 431, Article 10C sets forth a comprehensive scheme for the regulation of motor vehicle insurance in the State of Hawaii, the Council is preempted from enacting legislation in this area; therefore, only the Hawaii State Legislature can adopt legislation requiring proof of motor vehicle insurance to purchase fuel; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the Hawaii State Legislature to adopt a bill requiring proof of motor vehicle insurance to purchase fuel; and





**RESOLUTION**

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BE IT FINALLY RESOLVED that this Resolution be transmitted to the President of Hawaii State Senate, the Speaker of the Hawaii State House of Representatives, the Director of Commerce and Consumer Affairs, and the Governor.

INTRODUCED BY:

Lon Soen  
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DATE OF INTRODUCTION:

**OCT 24 2011**

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers



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## RESOLUTION

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**URGING THE LEGISLATURE TO PASS LEGISLATION REQUIRING MOTOR VEHICLE INSURANCE CARRIERS TO PROVIDE INFORMATION TO THE COUNTIES ON UNINSURED DRIVERS.**

WHEREAS, Hawaii State law requires that motor vehicles be insured throughout a vehicle's registration period and requires drivers to have a valid Hawaii motor vehicle insurance identification in the motor vehicle at all times; and

WHEREAS, despite these requirements, there are many drivers in the state and within the City and County of Honolulu ("City") who do not have motor vehicle insurance; and

WHEREAS, past studies have estimated that between 10 and 15 percent of drivers in the State of Hawaii lack motor vehicle insurance, although this percentage may have increased recently due to the economic recession; and

WHEREAS, uninsured drivers are a problem for everybody, as those injured by an uninsured driver have to sue to recover damages incurred in accidents with insured drivers; and

WHEREAS, uninsured drivers and motor vehicles are adding to congestion on the City's already overcrowded roadways; and

WHEREAS, several counties around the country have developed systems that allow law enforcement and county officials to find uninsured drivers by accessing information provided by motor vehicle insurance carriers; and

WHEREAS, some of these counties have reported a decrease in the number of uninsured drivers; and

WHEREAS, developing a database with information provided by motor vehicle insurance carriers could help the City reduce the number of uninsured drivers and reduce traffic congestion; now, therefore,

**BE IT RESOLVED** by the Council of the City and County of Honolulu that it urges the legislature pass legislation requiring motor vehicle insurance carriers to provide information to the counties for development of a system to easily identify uninsured drivers and motor vehicles; and



RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Speaker of the House and all members of the State House of Representatives of the Hawaii State Legislature, the Senate President and all members of the State Senate, the Governor, the State Insurance Commissioner, the Mayor, the Managing Director, the Police Chief of the Honolulu Police Department, and the Prosecuting Attorney.

INTRODUCED BY:

Tom Berg  
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DATE OF INTRODUCTION:

OCT 24 2011  
Honolulu, Hawaii

Councilmembers

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**TOM BERG**  
COUNCILMEMBER  
HONOLULU CITY COUNCIL • DISTRICT I  
PH: (808) 768-5001  
FAX: (808) 768-5011  
EMAIL: [tberg@honolulu.gov](mailto:tberg@honolulu.gov)

November 23, 2011

Ellyn P. Goldkind, RA  
Historic Preservation Officer  
Navy Region Hawaii / NAVFAC Hawaii  
400 Marshall Road  
Bldg. X-11, Code EV5  
Pearl Harbor, HI 96860-3139

RE: Determination of Effect - Kalaeloa Renewable Energy Park, or "LLC"

Dear Ms. Goldkind,

Addressing Proposed Ways to Avoid, Minimize, or Mitigate Adverse/Unknown Effects:

*1. Explore agreements with adjacent landowners that may eliminate transmission line crossing of southeast runway corner.*

Of single greatest concern is the lack of a coherent HCDA HECO Power Energy Corridor to serve a significant number of planned solar farms in and around the former MCAS Ewa area. The current Kalaeloa Renewable Energy Park (the "LLC") plan is to run a 46 Kv line through lower Ewa Field with a roadway for HECO utility use. This same Ewa Field route is very likely to become the route all the other Solar Farms will use once HECO installs this initial route.

This will be a big mess and blight. The Energy corridor should be either along Essex Road, or more logically- down Coral Sea Rd. which runs to the Coast Guard Station. This is the most logical energy route for Power and energy farm development- not through Ewa Field.

Water lines and site access should be through the road currently known as Bismarck Sea, rather than running a new road off of Essex Road. This is entirely unnecessary and too invasive.

The Kalaeloa Master Plan should intelligently use the existing historic MCAS Ewa base arterial roadways, expand them to four lanes and keep interior traffic LOCAL, which better fits the great descriptions of what Kalaeloa is supposed to be- a community encouraging slower 25 mph speeds, bikeways, etc. There is absolutely no reason to create a new roadway connection with the existing Saratoga Avenue and extend it across historic MCAS Ewa land and connect it with Geiger Road.

The extension of Geiger Road directly across and through the historic Ewa Field December 7 battlefield is completely unnecessary and will never be needed as a transit route because Geiger Road was intelligently aligned and connected to today's Roosevelt Avenue in the 1940's during the

Ms. Ellyn P. Goldkind  
November 23, 2011  
Page 2

original design of the base. When the traffic eventually does increase, the answer is to make Geiger and Roosevelt four lanes- and not create a totally unneeded parallel roadway a couple of hundreds yards away in an important historic site which will only invite lawsuits.

The adopted HCDA Master Plan says Kalaeloa will be a PONO and beautiful "Center of Excellence" and calls for all utilities to be UNDERGROUND, so as to not blight the landscape with a 19th century look. But this is exactly what HCDA plans for the former MCAS Ewa area; to allow overhead high voltage power lines throughout this Kalaeloa land area- just for a "temporary 20 year period," which could likely be extended indefinitely.

The clear answer should be that HCDA follows its own Master Plan and require high voltage power lines installed UNDERGROUND along side of Coral Sea Road as they are currently planning with the Enterprise Road Energy Corridor. HCDA will be creating a visual blight of 60 foot poles and possibly even steel towers that will make Kalaeloa look like a Pittsburgh industrial area. Burying power lines actually has many advantages, as indicated on HECO's own website. HECO owns about 3000 miles of electrical transmission and distribution lines. More than 40% of these lines are already underground. The Ford Island 46 Kv power line is an underground line because it protects the view planes around historic Pearl Harbor, which is a National Landmark.

*2. Perform on-site archeological monitoring for all ground disturbing activities; and in collaboration with SHPD archeologist and the National Park Service Battlefield Protection Program, develop a remote sensing testing plan to aid in defining WWII battlefield boundaries and event locations.*

I strongly support SHPD's ability to place conditions on the otherwise free use of historic properties within Kalaeloa. This should be revised and expanded to also give deference to the views of consulting parties and the local Ewa public which have an essential role in the Section 106 review process. Not allowing the public adequate time to review and process actions that may damage historic properties is not an acceptable public policy.

*3. Improve access to the concrete warm-up platform by removing and keeping clear of all vegetation and debris. Allow scheduled visitation/use for non-profit groups [that maintain corporate liability insurance] to facilitate interpretation and commemorative activities at the site.*

My District 1 Council office intends to address this in a separate action which also engages the City, which will be expected to take possession of a significant portion of the concrete ramp and adjacent historic MCAS Ewa buildings and properties.

*4. Provide financial support (contribution pledge from FIV) to initiate development of an Ewa Field Task Force focusing on Ewa Field's History and role in the events of December 7, 1941.*

Ms. Elynn P. Goldkind  
November 23, 2011  
Page 3

My District 1 Council office would like to suggest that a relationship with Pacific Historic Parks, formerly Arizona Memorial Museum Association, be established and that an Ewa Field Battlefield 501-c-3 work with Pacific Historic Parks, which has extensive battlefield park management experience, including fund raising, bookstore and educational program development.

Ewa Plantation Villages has been previously recommended by noted historians to be a National Landmark and made a federally recognized Historic District. We need to continue to move forward with preservation plans for the Managers Mansion and maintain the unique historic character of Ewa Villages which make it an historic and architectural treasure.

*5. Due to known historic resources and any potential for archeological finds, the project has been designed to incorporate fully reversible and modern renewable energy features while minimizing ground penetrations or excavations.*

Instead of digging holes for fence posts, using concrete bases should be considered to anchor the chain link fence.

Finally in 2011, an Ewa Battlefield Survey was conducted and completed indicating a significant area of MCAS Ewa was the site a December 7, 1941 battle, and an area of subsequent WW-II era support structures listed in the survey as Ewa Field Warehouse District and Ewa Field Aircraft Revetments, all potential National Register sites. Also noted were the significant Ewa Field Cold War era buildings located near the original front gate that could also become listed on the National Register. In addition there was near this same area the 1943 Squadron Wall structure, a local Ewa landmark, which the Navy apparently authorized to be destroyed just before the start of the Section 106 hearing process.

The Ewa Battlefield Survey stated numerous times that all the findings were just "preliminary." The National Park Service comments also state: "We do not consider the boundaries adequate for consideration since this study was commissioned to represent the battlefield resources for this portion of the Pearl Harbor engagement."

In May 6, 2009, MCAS Ewa preservation resolution bill HCR49 was passed by the Hawaii State Legislature, and also with similar wording previously by three other local Oahu Neighborhood Boards:

**URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII.**

Between the three locally elected neighborhood boards and the representatives and senators of the Hawaii State Legislature, it could not be more clearly stated that the preservation of the Ewa Field

Ms. Ellyn P. Goldkind  
November 23, 2011  
Page 4

battlefield and the historic MCAS Ewa structures is what the Ewa public wants. This isn't an anti-development agenda; it is about preserving areas that have great local meaning and significance.

An Ewa Field battlefield park would require years of development, Dec. 7, 1941 history is the single largest visitor attraction to Oahu- bringing millions of dollars of revenue every year. An Ewa Field battlefield park would be joining an already well established and highly successful visitor attraction model in a West Oahu region where Ko Olina resort hotels bring in loads of sight seeing tourists. An Ewa Field battlefield park could partner with the National Park Service and Pacific Historic Parks (USS Arizona), which already helps NPS run battlefield parks in the Pacific. We wouldn't have to invent new programs or concepts- the money and expertise is already locally available.

Aloha,

A handwritten signature in black ink that reads "Tom Berg". The signature is written in a cursive, slightly slanted style. The first name "Tom" is written in a larger, more prominent script than the last name "Berg".

TOM BERG  
Councilmember – District 1  
Ewa Beach, Kapolei, Waianae Coast

TB:ge

CITY AND COUNTY OF HONOLULU  
PLANNING COMMISSION

Meeting of the Planning Commission

DATE: December 7, 2011  
TIME: 1:00 p.m.  
PLACE: Mission Memorial Hearings Room, Mission Memorial Building, 550 South King Street, Honolulu, Hawaii

AGENDA

CONTESTED CASE HEARING

EWA-STATE SPECIAL USE PERMIT AMENDMENT APPLICATION - 2008/SUP-2 (RY)  
WAIMANALO GULCH SANITARY LANDFILL (WGSL)

Applicant: Department of Environmental Services, City and County of Honolulu  
Landowner: City and County of Honolulu  
Location: 92-460 Farrington Highway, Honouliuli, Ewa, Oahu  
Tax Map Key: 9-2-3: 72 & 73  
Existing Use: Landfill and open space  
State Land Use: Agricultural District  
Existing Zoning: AG-2 General Agricultural District  
Land Area: 200.622 Acres  
REQUEST: To delete Condition No. 14 of Special Use Permit No. 2008/SUP-2 (also referred to as Land Use Commission Docket No. SP09-403) which states as follows:

"14. Municipal solid waste shall be allowed at the WGSL up to July 31, 2012, provided that only ash and residue from H-POWER shall be allowed at the WGSL after July 31, 2012."

(The public hearing portion in this matter has been closed).

ADJOURNMENT



## City and County of Honolulu

### REQUEST FOR INVESTIGATION AND SERVICE REPORT

INITIATED BY Councilmember Name Tom Berg	MD CONTROL #
REQUESTOR'S NAME Celeste Lacuesta	DATE
ADDRESS	PROCESSED
PHONE LOCATION Honolulu Hale	REFERRED TO

**SERVICE REQUESTED**

2<sup>nd</sup> request on all closed comfort station in district one and the number of comfort station that are open.

[ ] See Attachment

Signature

### REFERRAL DEPARTMENT

ASSIGNED TO	DATE DUE
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**ACTION TAKEN**

Closed comfort stations due to existing cesspools in District III:

- 1) Oneula Beach Park
- 2) Kahe Point Beach Park
- 3) Ulehawa Beach Park #1
- 4) Waianae District Park (tennis courts)
- 5) Iliahi Neighborhood Park

List of open Comfort Stations

- |  |  |
|--|--|
| Keaau Beach Park<br>Makaha Beach Park<br>Makaha Community Park<br>Maunalahilahi Beach<br>Piliiaau Community Park<br>Kaupuni Neighborhood Park<br>Pokai Bay Beach Park<br>Lualualei Beach #1 and #2<br>Maili Community Park<br>Maili Beach Park<br>Ulehawa Beach #2<br>Nani Kai Beach Park<br>Nanakuli (Depots) Beach<br>Nanakuli Beach Park<br>Zablan Beach Park | Cove (Black Rock) Beach<br>Tracks Beach Park<br>Kamokila Community Park<br>Asing Community Park<br>Barbers Point Beach Park<br>Ewa Beach Park<br>Ewa Beach Community Park<br>Ewa Mahiko Community Park<br>Geiger Community Park<br>Kapolei Community Park<br>Kapolei Regional Park<br>Puuloa Neighborhood Park |
|--|--|

[ ] See Attachment

  
**GARY B. CABATO**, Director  
 Department of Parks and Recreation




# OFFICE OF COUNCIL SERVICES

CHARMAINE T. DORAN  
DIRECTOR

September 22, 2011

TO: COUNCILMEMBER TOM BERG  
HONOLULU CITY COUNCIL

FROM: GAVIN KENNEDY, LEGISLATIVE ANALYST   
OFFICE OF COUNCIL SERVICES

SUBJECT: VEHICLE FEE INCREASES

This memorandum is in response to your request for a brief history on rate increases on vehicle fees going back 3 years and the statutory authority for all taxes and fees included in vehicle registration. For the purpose of this memorandum, we include registration fees, vehicle weight taxes, and the highway beautification and abandoned vehicle disposal fee in the term "vehicle fees."

Under Section 249-31 and 286-51, HRS, the counties are authorized to charge a registration fee, which is established in ROH Chapter 41, Article 18. Under Section 249-13, HRS, the county councils are authorized to establish the county vehicle weight tax rates by ordinance. The current motor vehicle weight tax rates are set forth in ROH Chapter 41, Article 17. Under Section 286-51, HRS, the county councils are authorized to establish a fee for highway beautification and disposal of abandoned vehicles. The current beautification fee is set forth in ROH Chapter 6, Article 20. The state registration fee is established under Section 249-31, HRS. The state weight tax is established under Section 249-33, HRS.

We found four measures that increased vehicle fees within the timeframe requested: Ordinances 09-15 and 09-16 passed by the City and County of Honolulu and Acts 86 (2011) and 162 (2011) passed by the State. We have included copies of the relevant legislation.

Ordinance 09-15 was passed by the Honolulu City Council and signed into law by the Mayor in 2009. Ordinance 09-15 increased the county vehicle weight tax for passenger vehicles and noncommercial vehicles under 6,500 pounds from 3 cents to 4 cents per pound effective January 1, 2010; and from 4 cents to 5 cents per pound

effective January 1, 2011. It also increased the weight tax for commercial vehicles from 3.5 cents to 4.5 cents per pound effective January 1, 2010; and from 4.5 cents to 5.5 cents per pound effective January 1, 2011.

Ordinance 09-16 was passed by the Honolulu City Council and signed into law by the Mayor in 2009. Ordinance 09-16 increased the fee for highway beautification and disposal of abandoned vehicles from \$5 to \$6 per vehicle effective September 1, 2009; and from \$6 to \$7 per vehicle effective July 1, 2010.

Act 86 was passed by the State Legislature and signed into law by the Governor in 2011. Act 86 increased the state vehicle weight tax effective July 1, 2011, from 0.75 cents to 1.75 cents per pound for vehicles up to 4,000 pounds; from 1 cent to 2 cents per pound for vehicles between 4,000 and 7,000 pounds; from 1.25 cents to 2.25 cents per pound for vehicles between 7,000 and 10,000 pounds; and a \$150 flat rate to \$300 for vehicles over 10,000 pounds.

Act 162 was passed by the State Legislature and signed into law by the Governor in 2011. Act 162 increased the state vehicle registration fee from \$25 to \$45 effective July 1, 2011.

To put these fee changes into perspective, consider their application to one of the more popular passenger vehicles, a Toyota Camry, currently specified at 3,483 pounds curb weight. On July 1, 2009, that vehicle would be subject to weight taxes, highway beautification and disposal fees, and State registration fees of \$160.61. After the above increases took effect, on July 1, 2011, those fees totaled \$287.10. These totals exclude other applicable fees that did not increase over the period.

**Attachments**



**A BILL FOR AN ORDINANCE**

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 41, ARTICLE 17 OF THE REVISED ORDINANCES OF HONOLULU, 1990, RELATING TO MOTOR VEHICLE WEIGHT TAX.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to increase the motor vehicle weight tax.

SECTION 2. Section 41-17.1, Revised Ordinances of Honolulu 1990, is hereby amended to read as follows:

**"Sec. 41-17.1 Vehicle weight tax.**

- (a) The rate and the minimum tax at which all vehicles and motor vehicles shall be taxed as provided by HRS Section 249-2, as amended, shall be as provided in subsections (b), (c), (d) and (e).
- (b) Motor Vehicles Designed Primarily for the Purpose of Carrying Passengers. The rate for motor vehicles designed primarily for carrying passengers shall be: [three cents per pound of the net weight of such vehicles.]

<u>Cents per pound of vehicle</u>	<u>Effective date</u>
<u>net weight</u>	
<u>4.0</u>	<u>January 1, 2010</u>
<u>5.0</u>	<u>January 1, 2011</u>

This category shall include, but is not limited to, motor vehicles primarily designed to carry passengers, buses, ambulances and hearses.



**A BILL FOR AN ORDINANCE**

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- (c) (1) Trucks or Noncommercial Motor Vehicles Having a Net Weight of 6,500 Pounds or Less. The rate for trucks and noncommercial motor vehicles having a net weight of 6,500 pounds or less and which are not being operated for compensation or commercial purposes shall be: [three cents per pound of the net weight of such vehicles.]

<u>Cents per pound of vehicle</u>		<u>Effective date</u>
<u>net weight</u>		
<u>4.0</u>		<u>January 1, 2010</u>
<u>5.0</u>		<u>January 1, 2011</u>

The owner of such truck or noncommercial motor vehicle who desires to have such vehicle taxed at the rate provided in this subdivision shall comply with the requirements in subdivision (2).

- (2) For original registration under this category, the owner shall:
- (A) File an application with the director of finance for registration of a noncommercial motor vehicle;
  - (B) Register the vehicle under an individual's name, or if the vehicle is leased, provide proof that the vehicle is leased to an individual and not to a company; and
  - (C) Pay the applicable weight tax and registration fees.

When the vehicle is currently registered as a commercial vehicle and the owner wishes to reclassify the vehicle under this category, the owner shall, in addition to the above, also surrender the vehicle's current certificate of registration and license plates.



**A BILL FOR AN ORDINANCE**

When the owner has complied with the foregoing requirements, and has paid the applicable fees, the director of finance shall issue a set of passenger vehicle license plates, emblem and a new certificate of registration.

- (d) Trucks or Commercial Vehicles. The rate for trucks, commercial vehicles and other vehicles designed for carrying property or for purposes other than the carrying of passengers shall be: [three and one-half cents per pound of the net weight of such vehicles.]

<u>Cents per pound of vehicle</u>	<u>Effective date</u>
<u>net weight</u>	
<u>4.5</u>	<u>January 1, 2010</u>
<u>5.5</u>	<u>January 1, 2011</u>

This category shall include, but is not limited to, trucks, truck tractors and road tractors, trailers and semi-trailers, provided, that trucks and noncommercial vehicles that qualify under subsection (c) are exempted from this category.

- (e) Minimum Tax. The minimum tax assessed and collected by reason of this section shall in no case be less than \$12.00."

**SECTION 3.** Ordinance material to be repealed is bracketed. New Material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



**A BILL FOR AN ORDINANCE**

SECTION 4. This ordinance shall take effect upon approval.

INTRODUCED BY:

[Signature] (br)

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DATE OF INTRODUCTION:

MAR 2 2009

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
Deputy Corporation Counsel

APPROVED this 26<sup>th</sup> day of June, 20 09

[Signature]  
MUFU HANNEMANN, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 09 - 15

BILL 20 (2009)

Introduced. 03/02/09 By TODD APO (BR)

Committee: BUDGET

Title: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 41, ARTICLE 17 OF THE REVISED ORDINANCES OF HONOLULU, 1990, RELATING TO MOTOR VEHICLE WEIGHT TAX.

Links: BILL 20 (2009)  
CR-141  
CR-195

NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY FEBRUARY 22, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

PUBLISH	03/14/09	PUBLIC HEARING NOTICE OF INTENT PUBLISHED IN THE HONOLULU STAR BULLETIN.				
COUNCIL	03/18/09	BILL PASSED FIRST READING AND REFERRED TO BUDGET COMMITTEE.				
	APO Y	BAINUM Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	
	GARCIA Y	OKINO Y	TAM Y			
PUBLISH	04/11/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN				
BUDGET	04/13/09	CR-141 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.				
COUNCIL/PUBLIC HEARING	04/22/09	CR-141 WAS ADOPTED. BILL 20 (2009) PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO BUDGET COMMITTEE.				
	APO Y	BAINUM Y	CACHOLA Y	DELA CRUZ Y	DJOU A	
	GARCIA Y	OKINO Y	TAM Y			
PUBLISH	04/28/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.				
		NOTE: IKAIKA ANDERSON WAS SWORN IN AND TOOK OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL ON THURSDAY, MAY 14, 2009 REPRESENTING DISTRICT III.				
SPECIAL BUDGET	05/18/09	CR-195 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING				



NOTE: COUNCILMEMBER DUKE BAINUM PASSED AWAY ON TUESDAY, JUNE 9, 2009 ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	06/10/09	CR-195 ADOPTED AND BILL 20 (2009) PASSED THIRD READING.							
ANDERSON	Y	APO	Y	CACHOLA	N	DELA CRUZ	N	DJOU	N
GARCIA	Y	OKINO	Y	TAM	Y				

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL

Bernice K. N. Mau  
BERNICE K. N. MAU, ACTING CITY CLERK

Todd K. APO  
TODD K. APO, CHAIR AND PRESIDING OFFICER



**A BILL FOR AN ORDINANCE**

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE 20 OF THE REVISED ORDINANCES OF HONOLULU, 1990, RELATING TO HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED VEHICLES REVOLVING FUND

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to increase the highway beautification and disposal of abandoned vehicles fee.

SECTION 2. Section 6-20.2, Revised Ordinances of Honolulu 1990, is hereby amended to read as follows:

**"Sec. 6-20.2 Purpose.**

There shall be deposited into the highway beautification and disposal of abandoned vehicles revolving fund all receipts from the fee permitted under HRS Section 286-51. The fee assessed and collected shall be \$1 per vehicle for U-Drive motor vehicles, and [\$5 per vehicle] for motor vehicles other than U-Drive motor vehicles: [.]

Per vehicle  
\$6.00  
\$7.00

Effective date  
September 1, 2009  
July 1, 2010

All moneys deposited into this fund shall be expended in accordance with HRS Section 286-51 for:

- (a) Beautification and other related activities of primary highways under the ownership, control and jurisdiction of the city; and
- (b) Disposition and other related activities of abandoned vehicles as prescribed in HRS Chapter 290."

SECTION 3. Ordinance material to be repealed is bracketed. New Material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.

CSDHWYBEAUTIFICATIONFEEORD.B09



**A BILL FOR AN ORDINANCE**

SECTION 4. This ordinance shall take effect upon approval.

INTRODUCED BY:

Todd K. Apo (by request)

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DATE OF INTRODUCTION:

March 2, 2009  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Ameyla Kondo*  
Deputy Corporation Counsel

APPROVED this 26<sup>th</sup> day of June, 20 09

*Mufi Hannemann*  
MUFU HANNEMANN, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 09 - 16

BILL 21 (2009), CD1

Introduced: 03/02/09 By: TODD APO (BR)

Committee: BUDGET

Title: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE 20 OF THE REVISED ORDINANCES OF HONOLULU 1890, RELATING TO HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED VEHICLES REVOLVING FUND.

Links: ~~BILL 21 (2009)~~  
~~BILL 21 (2009), CD1~~  
~~CR-142~~  
~~CR-196~~

NOTE. COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

PUBLISH	03/14/09	PUBLIC HEARING NOTICE OF INTENT PUBLISHED IN THE HONOLULU STAR BULLETIN.			
COUNCIL	03/18/09	BILL PASSED FIRST READING AND REFERRED TO BUDGET COMMITTEE.			
		APO Y	BAINUM Y	CACHOLA Y	DELA CRUZ Y
		GARCIA Y	OKINO Y	TAM Y	DJOU Y
PUBLISH	04/11/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.			
BUDGET	04/13/09	CR-142 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.			
COUNCIL/PUBLIC HEARING	04/22/09	CR-142 WAS ADOPTED. BILL 21 (2009) PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO BUDGET COMMITTEE.			
		APO Y	BAINUM Y	CACHOLA Y	DELA CRUZ Y
		GARCIA Y	OKINO Y	TAM Y	DJOU A
PUBLISH	04/28/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.			
		NOTE: IKAIKA ANDERSON WAS SWORN IN AND TOOK OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL ON THURSDAY, MAY 14, 2009 REPRESENTING DISTRICT III.			
SPECIAL BUDGET	05/18/09	CR-196 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.			

NOTE: COUNCILMEMBER DUKE BAINUM PASSED AWAY ON TUESDAY, JUNE 9, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	06/10/09	CR-196 ADOPTED AND BILL 21 (2009), CD1 PASSED THIRD READING AS AMENDED.							
ANDERSON	Y	APO	Y	CACHOLA	Y	DELA CRUZ	N	DJOU	N
GARCIA	Y	OKINO	Y	TAM	Y				

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL

Bernice K. N. Mau  
BERNICE K. N. MAU, ACTING CITY CLERK

Todd R. APO  
TODD R. APO, CHAIR AND PRESIDING OFFICER



**GOV. MSG. NO. 1189**

**EXECUTIVE CHAMBERS  
HONOLULU**

**NEIL ABERCROMBIE  
GOVERNOR**

**June 8, 2011**

**The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813**

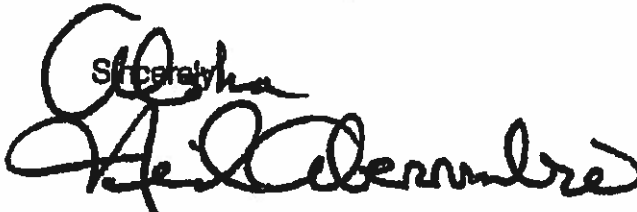
**The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813**

**Dear President Tsutsui, Speaker Say and Members of the Legislature:**

**This is to inform you that on June 8, 2011, the following bill was signed into law:**

**SB1329 SD1 HD2 CD1**

**RELATING TO MOTOR VEHICLE WEIGHT TAX  
Act 086 (11)**

*Secretary*  


**NEIL ABERCROMBIE  
Governor, State of Hawaii**

Approved by the Governor

on JUN 8 2011

ACT 086

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2011  
STATE OF HAWAII

S.B. NO. 1329  
S.D. 1  
H.D. 2  
C.D. 1

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## A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE WEIGHT TAX.

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

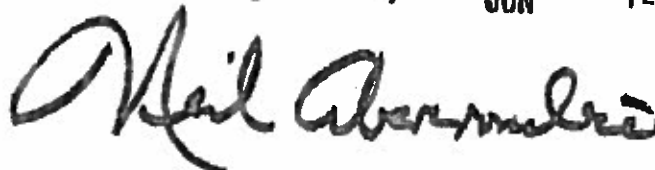
1 SECTION 1. Section 249-33, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3 "(a) All vehicles and motor vehicles in the State as  
4 defined in section 249-1, including antique motor vehicles,  
5 except as otherwise provided in sections ~~[249-3 to]~~ 249-4, 249-  
6 5.5, 249-6, and 249-6.5, in addition to all other fees and taxes  
7 levied by this chapter, shall be subject to an annual state  
8 vehicle weight tax. The tax shall be levied by the county  
9 director of finance at the rate of ~~[-75]~~ 1.75 cents a pound  
10 according to the net weight of each vehicle as the "net weight"  
11 is defined in section 249-1 up to and including four thousand  
12 pounds net weight; vehicles over four thousand pounds and up to  
13 and including seven thousand pounds net weight shall be taxed at  
14 the rate of ~~[1.00-cent]~~ 2.00 cents a pound; vehicles over seven  
15 thousand pounds and up to and including ten thousand pounds net  
16 weight shall be taxed at the rate of ~~[1.25]~~ 2.25 cents a pound;  
17 vehicles over ten thousand pounds net weight shall be taxed at a  
18 flat rate of ~~[\$150]~~ \$300."

S.B. NO. 1329  
S.D. 1  
H.D. 2  
C.D. 1

1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect on July 1, 2011.

APPROVED this 8 day of JUN, 2011



GOVERNOR OF THE STATE OF HAWAII





**GOV. MSG. NO. 1265**

**EXECUTIVE CHAMBERS  
HONOLULU**

**NEIL ABERCROMBIE  
GOVERNOR**

June 23, 2011

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 23, 2011, the following bill was signed into law.

**SB1328 SD1 HD2 CD1**

**RELATING TO MOTOR VEHICLE  
REGISTRATION  
Act 162 (11)**

*Shan*  
*Neil Abercrombie*

**NEIL ABERCROMBIE  
Governor, State of Hawaii**

Approved by the Governor.

JUN 23 2011

on

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2011  
STATE OF HAWAII

ACT 162  
S.B. NO. 1328  
S.D. 1  
H.D. 2  
C.D. 1

## A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION.

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

1 SECTION 1. Section 249-31, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§249-31 State registration fee. (a) All vehicles and  
4 motor vehicles in the State as defined in section 249-1,  
5 including antique motor vehicles, except as otherwise provided  
6 in sections 249-4 and 249-6, shall be subject to a [~~\$25~~] \$45  
7 annual vehicle registration fee. The fee shall be paid each  
8 year together with all other taxes and fees levied by this  
9 chapter on a staggered basis as established by each county as  
10 authorized by section 286-51, and the state registration for  
11 that county shall likewise be staggered so that the state  
12 registration fee is due and payable at the same time and shall  
13 be collected together with the county fee. The state  
14 registration fee shall be deemed delinquent if not paid with the  
15 county registration fee. The respective counties shall collect  
16 this fee together with the vehicle registration tax collected  
17 for the county and shall transfer the moneys collected under  
18 this section to the State.

2011-2315 SB1328 CD1 SMA.doc



1 (b) From each annual motor vehicle registration fee, the  
2 director shall deposit [~~\$20~~] \$40 into the state highway fund and  
3 \$5 into the emergency medical services special fund."

4 SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2011.

APPROVED this 23 day of JUN, 2011



GOVERNOR OF THE STATE OF HAWAII