

HARBOR MASTER'S NOTICE
OAHU DISTRICT 01-12
APRIL 27, 2012

RELATING TO PIER 2 PASSENGER SAFETY, SOLICITATION, & TRAFFIC CONTROL

During February and March 2012, the HARBOR MASTER met with the motor carriers to encourage voluntarily compliance with the rules, requested that the motor carriers resolve their differences, and stop soliciting passengers. The recent April 14, 2012 intervention by the Harbor Police to break up a heated quarrel between taxi operators and shuttle operators demonstrates that there has been little improvement in the motor carriers' conduct and compliance with the no solicitation of passenger requirement. The HARBOR MASTER also finds that Vehicle Operators and Greeters continue to leave their designated areas, continue to hold signs and solicit passengers, and have impeded the flow of passengers at the terminal exits near the crosswalks. In the judgment of the HARBOR MASTER, this Notice is necessary to restore efficiency, security, and safety of passengers at the commercial harbor facilities.

In accordance with the Hawaii Administrative Rules, (HAR), §19-43-2, *Jurisdiction of harbor master over vehicles*, §19-43-4, *Operation of Vehicles*, §19-43-5, *Traffic Controls*, and §19-43-8, *Ground Transportation*, §19-43-23, *Reserved parking stalls*, and §19-42-15, *Compliance with federal, state, and county laws, ordinances and rules*, the HARBOR MASTER lawfully orders the following to be effective Friday, 12:01 a.m., April 27, 2012:

HARBOR MASTER ORDERS

All persons operating a vehicle within the jurisdiction of the HARBOR MASTER pursuant with §19-43-2 shall comply with the lawful order, notice, signal or direction of the State Security Guard and State Law Enforcement Officer (Harbor Police) as provided herein:

1. **SOLICITATION IS PROHIBITED.** No permission to solicit has been granted (§19-42-122, HAR.) Solicitation is prohibited. The no solicitation requirement will be enforced.
2. **PRE-ARRANGED PASSENGER PICK UP.** Vehicle Operators shall be restricted to picking up pre-arranged passengers.
3. **DESIGNATED PARKING AREAS.** Vehicle Operators picking up pre-arranged passengers (not including taxis) shall park in designated areas as provided herein and pursuant to section 6 and 11 of the motor carrier's grant transportation permit. Parking is allowed for the maximum time allowed (§19-43-23, HAR) as follows:
 - a) **Motor Carriers with Exclusive Pre-arranged Passenger Pick up Contracts with the vessel owner** and issued permits pursuant to §19-44-53 are designated to park in **Stalls 5 to 10** between 6:30 a.m. to 9:30 a.m. (Stall 8 is reserved for handicapped equipped motor vehicles) or at locations or times at the direction of the HARBOR MASTER, State Security Guard or Harbor Police for the efficiency of operations. Greeters are allowed in the facility to facilitate the movement of passengers from the vessel to the motor vehicles.

- b) **Motor Carriers without Exclusive Pre-arranged Passenger Pick up Contracts with the vessel owner** issued permits pursuant to §19-44-53(1) and (2) capable of carrying 26 passengers or more for pre-arranged passenger pick up shall be designed to park in **Stalls 11 to 14** (Stall 14 is reserved for handicapped equipped motor vehicles) to park their vehicles or at locations or times at the direction of the HARBOR MASTER, State Security Guard or Harbor Police for the efficiency of operations. Greeters are allowed to park in the non-secured areas of the facility for the sole purpose of facilitating the movement of passengers from the vessel to motor vehicles – no solicitation is permitted.
- c) **Stall 15** is reserved for first responder vehicles (including law enforcement).
- d) **Stalls 16 to 17** are designated for Car Rental Shuttles. Vehicles shall have 20 minutes to pick up passengers or for an extended duration up to an additional 15 minutes where the HARBOR MASTER, State Security Guard or Harbor Police determines the extension is for the efficiency of operation.
- e) **Vehicle Operators and Greeters of mini buses, vans and other vehicles** issued permits pursuant to §s 19-44-53(3), 19-44-53(4), 19-44-53(5) capable of carrying a maximum of 25 pre-arranged passengers for passenger pick up are designated to park in **Stalls 1 to 4**.
 - i) Parking in Stalls 1 to 4 is on a first come first serve basis - only one permitted vehicle will be allowed to park in a stall at the same time. The HARBOR MASTER will accept and enforce an alternative written schedule setting forth the times and stalls for pre-arranged passenger pick up that is agreed to by the parties governed by this section.
 - ii) Greeters assisting a Vehicle Operator with the gathering passengers are restricted to remain in the **greeter designated area** adjacent to Stalls 1 to 4 and shown on Figure 1.
 - iii) Motor Carriers are advised to direct their Vehicle Operators and Greeters where to park their vehicles, the designated greeter areas, and to inform their customers where to locate their pre-arranged vehicles.
 - iv) Greeters assisting a Vehicle Operator will be allowed to hold signs of the motor carrier for the sole purpose of directing pre-arranged passengers to the appropriate motor vehicle; the greeter shall remain in the designated area as shown on Figure 1. No solicitation is permitted.
 - v) Vehicle Operators, employees, or agents of the motor carrier shall not be permitted to solicit passengers.
 - vi) Vehicle Operators parked in Stalls 1 to 4 shall have a maximum of 20 minutes to assemble their pre-arranged passengers into their vehicles. Time will commence when the vehicle comes to a full stop in the parking stall. Vehicles shall leave the parking stall at the maximum time of 20 minutes.

f) Baggage vans for pre-arranged baggage pick up and issued permits pursuant to §19-44-53(6) are designated to park in **Stalls 5 and 6 after 9.30 a.m.**

4. TAXIS. Taxis shall operate in the designated area as provided herein (§19-43-23, HAR).
5. DESIGNATED GREETING AREAS. Persons assisting a Vehicle Operator with directing pre-arranged passengers to the motor vehicle, also referred to as "Greeters" are restricted to gathering passengers from the designated area as provided herein (§19-43-5, HAR). Greeters assisting a Vehicle Operator with the gathering passengers is restricted to remain in the **greeter designated area** adjacent to Stalls 1 to 4 and shown on Figure 1.

Failure to comply with this HARBOR MASTER Notice may result in the termination in accordance with the terms of the applicable Harbors Ground Transportation Permit(s) on a case by case basis.

DEFINITIONS

"Greeter" is any person assisting a Vehicle Operator with the gathering passengers into the motor vehicle.

"Pre-arranged" means the transaction by the passenger to hire a motor vehicle in advance of the passenger's arrival to a commercial harbor to transport the passenger in such motor vehicle and personal property to a destination from the commercial harbor to a destination away from the commercial harbor. Pre-arranged includes transactions with properly permitted motor carriers that provide airport shuttle services, hotel shuttle services, car rental pick up, and courtesy car services to pick up customers and guests in vehicles owned or leased by the motor carrier with a ground transportation permit. Pick-up of passengers does not include the right for the Vehicle Operator or person employed or acts as an agent of a motor carrier to solicit ground transportation services to any person other than to persons for which ground transportation services have been pre-arranged.

"Shuttle" is a properly permitted vehicle that transports a passenger and personal property from the commercial harbor directly to a destination away from the commercial harbor and does not include the transfer of a passenger to another motor vehicle before arriving at a passenger's destination.

"Taxi" is a vehicle that has been properly licensed by the City and County of Honolulu and properly permitted with the commercial harbor pursuant to §19-44-53 that is available for passenger hire on demand transport to a final destination.

"Vehicle Operator" is a properly licensed driver who operates a current, properly licensed and permitted motor vehicle, and is in good standings with the conditions of the Department of Transportation, Harbors Division motor carrier ground transportation permit pursuant to §19-44-53, Ground Transportation.

Your cooperation in complying with this new traffic control procedure is requested. This notice is applicable to Pier 2 only.



DAVIS K. YOGI
Acting Oahu District Manager/Harbor Master

4-25-2012
Date

Pier 2
Figure 1

