

Rules Amending Title 19
Hawaii Administrative Rules

1. Chapter 145 of Title 19, Hawaii Administrative Rules, entitled "Hazardous Materials Regulations", is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF TRANSPORTATION

SUBTITLE 5

MOTOR VEHICLE SAFETY OFFICE

CHAPTER 145

HAZARDOUS MATERIALS REGULATIONS

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§19-145-4	Incorporation by reference
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§19-145-1 Purpose. The purpose of this chapter is to ensure that the State complies with the Federal Hazardous Materials Regulations. [Eff 3/30/87; am 1/11/88; am 1/20/89; am and comp 12/8/90; am and comp 11/29/93; am and comp 8/5/04; am and comp 12/4/09;

comp 12/23/13; comp _____] (Auth: HRS §286-202) (Imp: 49 CFR Parts 107, 171-173, 177, 178, and 180)

§19-145-2 Definitions. Unless the context clearly indicates otherwise, as used in this chapter:

"Director" means the director of the state department of transportation.

"Hazardous Materials Regulations" means Title 49, Code of Federal Regulations, Parts 107, 171-173, 177, 178, and 180.

"State" means State of Hawaii. [Eff and comp 12/4/09; comp 12/23/13; comp _____] (Auth: HRS §286-202) (Imp: 49 CFR Parts 107, 171-173, 177, 178, and 180)

§19-145-3 Authority. The director is authorized by section 286-202, Hawaii Revised Statutes, to adopt the Hazardous Materials Regulations. [Eff and comp 12/4/09; comp 12/23/13; am and comp _____] (Auth: HRS §286-202) (Imp: HRS §286-202)

§19-145-4 Incorporation by reference. The Hazardous Materials Regulations, as they existed on [~~January 31, 2013,~~] November 1, 2015, are hereby adopted and incorporated into this chapter. [Eff and comp 12/4/09; am and comp 12/23/13; am and comp _____] (Auth: HRS §286-202) (Imp: 49 CFR Parts 107, 171-173, 177, 178, and 180)

§19-145-5 Applicability. Provisions in the Hazardous Materials Regulations apply to inter-state and intra-state operations. [Eff and comp 12/4/09; comp 12/23/13; comp _____] (Auth: HRS §286-202) (Imp: 49 CFR Parts 107, 171-173, 177, 178, and 180)

§19-145-6 Incorporation of Hazardous Materials Regulation Fee Table. Pursuant to the authority of the Director set forth in section 286-202, the following Hazardous Materials Regulation Fee Table, attached separately as Appendix A, is incorporated as assigned to apply to the Hazardous Materials Regulations." [Eff and comp] (Auth: HRS §§286-202) (Imp: HRS §§286-202, 49 CFR Parts 107, 171-173, 177, 178, and 180)

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments and compilations are not underscored.

4. These amendments to and compilation of chapter 19-145, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____ and filed with the Office of the Lieutenant Governor.

FORD N. FUCHIGAMI
Director of Transportation

APPROVED AS TO FORM:

Deputy Attorney General