



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
103 ALA LUINA STREET  
KAHULUI, HAWAII 96732

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IN REPLY REFER TO:

HAR-M 163.22

December 21, 2021

Dear Sir or Madam:

### **Fiscal Year 2021 Ground Transportation Permit Kahului Harbor and Kaunakakai Harbor**

This letter will serve as a notice that Harbors Maui District will begin accepting applications for Fiscal Year 2021 (July 1, 2021 to June 30, 2022) Ground Transportation Permits for Kahului Harbor and Kaunakakai Harbor, starting **WEDNESDAY, December 22, 2021**.

**Fiscal Year 2021 Ground Transportation Permit fees will be *PRO-RATED ONE-TIME-ONLY* for the balance of Fiscal Year 2021 from January 1, 2022 to June 30, 2022.**

The following are required with your Fiscal Year 2021 Ground Transportation Permit application:

**\*Applications with missing documents and/or information WILL NOT be accepted.**

**\*Documents reused from prior applications will not be accepted for renewal.**

1. Certificate of Insurance (COI).
  - a. A valid copy of COI. On COI for each vehicle requiring a Ground Transportation Permit:
    - i. Name the State (**State of Hawaii, Department of Transportation, Harbors Division**) as an additional insured.
    - ii. **Policy expiration date on COI shall be APRIL 1, 2022 or later.**
    - iii. Show vehicle's Year, Make, Model & Vehicle Identification Number.
2. A copy of valid vehicle registration card, valid vehicle insurance card, and current vehicle safety inspection.
3. A copy of valid Transportation Worker Identification Credential (TWIC) for each permittee's employee, driver, greeter, etc. assigned to cruise ship operations.
4. A copy of a valid County of Maui Taxicab Driver's Permit and a copy of a valid Taxi Business License (for Taxi and Limousine operators).
5. Check, cashier's check, or money order made payable to "**State of Hawaii – DOT-Harbors Division**". **Cash Payments, Credit Cards or Out-Of-State Checks Are Not Accepted.**
6. Each Permittee **must adhere to and comply with the Governor David Y. Ige's Executive Order 21-07, "Access to State Property"** and submit a copy of a completed "**Attachment A**" (**COVID-19 Vaccination Status Attestation Form**) for each Permittee and Permittee's employee/driver/greeter/etc. to be assigned to cruise ship operations. **Do not send or submit any employee vaccination card with the Attestation Form or with the application.**

7. All Permittee employees who attest to not being fully vaccinated or who choose not to complete “Attachment A”, **shall be required to submit to weekly COVID-19 testing and be subject to random audits by Harbors Management of a completed “Attachment B” (COVID-19 Weekly Testing Attestation).**

**A service fee of \$1.00 will be assessed for each copy made at any Harbors Maui District Office.**

CURRENT RATES AND INSURANCE REQUIREMENTS		01/01/22 – 06/30/22	Property Damage	Bodily Injury
(1)	Motor coaches, Buses - 54 or more passengers	\$316.25	\$75,000.00	\$750,000.00
(2)	Motor coaches, Buses - less than 54 passengers	\$275.00	\$75,000.00	\$750,000.00
(3)	Shuttle buses, Mini buses - 18 to 25 passengers	\$137.50	\$75,000.00	\$750,000.00
(4)	Vans, SUVs, Limousines, Stretch-outs - 8 to 17 passengers	\$96.25	\$50,000.00	\$500,000.00
(5)	Automobiles, Vans, SUVs - 1 to 7 passengers.	\$78.65	\$25,000.00	\$300,000.00
(6)	Baggage trucks/vans for prearranged pickup/delivery only	\$78.80	\$25,000.00	\$300,000.00
(7)	Taxicabs (Automobiles, Vans, SUVs, Limousines)	\$51.15	\$25,000.00	\$300,000.00

GROUND TRANSPORTATION PERMIT applications must be signed by a company official or business owner or taxi/limousine owner.

GROUND TRANSPORTATION PERMIT applications for will be accepted and processed daily at the following Harbors Maui District Offices – **BY APPOINTMENT ONLY** – Monday to Friday (excluding holidays) from 7:45 am to 4:30 pm.

**Kahului Harbor (call 808-873-3350) – 101 E Kaahumanu Avenue, Suite 100, Kahului**

**Kaunakakai Harbor (call 808-553-1700) – Kaunakakai Harbor, Kaunakakai**

GROUND TRANSPORTATION PERMITS will be issued to each Permittee approved to operate a vehicle at Kahului Harbor or Kaunakakai Harbor. All individuals operating any vehicle with a valid Ground Transportation Permit must adhere to all Harbors rules, regulations and special conditions.

It is each Permittee’s responsibility to inform Harbors Maui District (at Kahului Harbor or Kaunakakai Harbor) of any changes that may occur throughout the year **WITHIN SEVEN (7) DAYS of any changes.**

Should you have any questions, please contact our Harbors Maui District Office at 873-3350. Thank you.

Sincerely,

*Duane S. S. Kim*

Duane S. S. Kim  
Harbor Master  
Harbors District Manager, Maui District

**APPLICATION FOR GROUND TRANSPORTATION PERMIT***\*Applications must be completed and signed by Company Owner/Manager*

Permittee (Individual/Company): \_\_\_\_\_ Title: \_\_\_\_\_

Print Name (Owner/Manager): \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address (required): \_\_\_\_\_

**Upon any/all changes to the application for any reason, this form along with applicable documents must be re-submitted to DOT Harbors Maui District within SEVEN (7) days of any changes.**

**Maui Contact or Secondary Contact (if different from above)**

Print Name : \_\_\_\_\_ Title: \_\_\_\_\_

Business Tel No.: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**VEHICLE REGISTER****\*Attach additional sheet if needed\*****Office Use Only**

License No.	PUC Nbr or Dome Nbr	Vehicle Identification Nbr	Make	Color	# PAX Include driver	Type	Permit No.

Insurance Company: \_\_\_\_\_

Policy Nbr: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Insurance Coverage Limits: ( ) Each Occurrence ( ) Combined Single Limit

Property Damage: \$ \_\_\_\_\_ Public Liability (Bodily Injury) \$ \_\_\_\_\_

**Understanding and Agreement to Harbors Maui District's Ground Transportation Rules and Conditions**

I, (PRINT NAME) \_\_\_\_\_, understand and agree to these Ground Transportation Permit *General Conditions* and *Harbor Master Special Conditions* attached hereto and made a part hereof and will abide by these provisions and rules of the Commercial Harbors and Tariffs. I further certify that the information submitted by me is true and correct and that any falsification of the record(s) will result in immediate cancellation of this permit and all other permits in force with the Harbors Division. I understand that if although I do not receive a renewal notification, it is my responsibility to ensure that an application is filled prior to the current permit's expiration. I also confirm my responsibility to ensure all other drivers employed as drivers for the business listed below on this Ground Transportation Permit fully understands and agrees to these Ground Transportation Permit General Conditions and Requirements. Any changes to the application must be updated with the Harbors Maui District Office, failure to do so may result in the immediate termination of the permit(s). **ALL APPLICANTS AND APPLICANTS' DRIVERS, OPERATORS, GREETERS, ETC MUST ADHERE & ATTEST TO THE STATE OF HAWAII GOVERNOR'S EXECUTIVE ORDER 21-07 (SEE ATTACHED).**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**HARBORS USE ONLY**

TYP E	UNIT	x	AMOUNT	=	TOTAL
BUS, more than 54	1		\$316.25		
BUS, less than 54	2		\$275.00		
MINI BUS, max 25	3		\$137.50		
VAN, SUV, LIMO, 8-17	4		\$ 96.25		
AUTO, VAN, SUV, 1-7	5		\$ 78.65		
Baggage TRK/VAN	6		\$ 78.80		
TAXICABS	7		\$ 51.15		
MISC. FEES - COPY			\$ 1.00		

Total Collected: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

Date: \_\_\_\_\_

Received By: \_\_\_\_\_

## GROUND TRANSPORTATION GENERAL CONDITIONS

### 1. BINDING EFFECT:

All persons issued Ground Transportation Permits (hereafter the "Permittee") shall comply with Chapters 19-41, 19-42, 19-43, and 19-44, Hawaii Administrative Rules ("HAR"), all issued by the Department of Transportation, State of Hawaii, (hereafter collectively the "Rules") and shall comply with all the applicable general conditions (hereafter the "General Conditions") and special conditions (hereafter the "Special Conditions"), contained herein.

### 2. PERMIT FEES (ANNUAL):

	<u>All Ports</u>
(1) Motor coaches, Buses - 54 or more passengers .....	\$632.50
(2) Motor coaches, Buses - less than 54 passengers .....	\$550.00
(3) Shuttle Buses, Mini Buses – 18 to 25 passengers .....	\$275.00
(4) Vans, SUV, Limousines, Stretch-outs, - 8 to 17 passengers .....	\$192.50
(5) Passenger vehicles (Van, SUV, Auto) - 1 to 7 passengers .....	\$157.30
(6) Trucks, Cargo Vans for baggage, stores, etc.....	\$157.60
(7) Taxicabs .....	\$102.30 (Neighbor Island Ports)

### NOTICE

Ground Transportation  
Permit Fees will be pro-rated  
one-time-only from JAN 1, 2022  
through JUNE 30, 2022.

There will be NO pro-rated  
Ground Transportation Permit  
fees effective JULY 1, 2022.

**\*Daily Harbors Parking Permits will no longer be issued in lieu of or in addition to Ground Transportation Permits.**

### 3. PAYMENTS:

All charges set forth above are on a **12-MONTH** basis (EXCEPTION – SEE NOTICE ABOVE). **Only Hawaii personal checks, Hawaii bank cashier's checks or money orders will be accepted.** Hawaii personal checks, Hawaii bank cashier's checks or money orders must be made payable to: **DOT Harbors Division**

**NOTE: DOT Harbors Maui District does not accept Cash or Out-of-State Personal Check or Credit Card Payments.**

### 4. INSURANCE REQUIREMENT:

An original certificate of **automobile/vehicle** insurance evidencing coverages outlined below for property damage, personal and bodily injury and public liability must be submitted to the State and **SHALL BE VALID FOR AT LEAST NINETY (90) DAYS FROM THE TIME OF THE APPLICATION.** The policy must be current, name the applicant as the insured, and cover the applicable vehicle. The following are the **MINIMUM** insurance requirements:

	<u>Property Damage Liability Coverage Per Occurrence</u>	<u>Bodily Liability Liability Coverage Per Occurrence</u>
(1) Vehicle capable of carrying 1-7 individuals	\$25,000	\$300,000
(2) Vehicle capable of carrying 8-17 individuals	\$50,000	\$500,000
(3) Vehicle capable of carrying 18 or more individuals	\$75,000	\$750,000

Each insurance policy must (a) be issued by an insurance company or surety company authorized to do business in the State of Hawaii or approved in writing by the Director of Transportation; (b) name the State (**State of Hawaii, Department of Transportation, Harbors Division**) as an additional insured; (c) provide that the State shall be notified prior to any termination, cancellation or any material change in the Permittee's insurance coverage, (notices should be mailed to **State of Hawaii, Department of Transportation, Harbors Division, 101 E Kaahumanu Ave., Suite 100, Kahului, Hawaii 96732**); (d) cover all injuries, losses, or damages arising from, growing out of, or caused by any acts or omissions of the Permittee, its officers, agents or employees; and (e) be maintained and kept in effect at the Permittee's sole expense throughout the term of this permit. Upon each renewal, the Permittee shall furnish the Harbor Master, without notice or demand from the Harbor Master, an original certificate evidencing the required insurance. An original insurance binder will be accepted for up to thirty (30) days as proof of coverage. After that, a certificate will be required.

### 5. DECALS:

When an application of a ground transportation permit is approved, a vehicle decal will be issued to coincide with the expiration date of the Permit. No decal will be issued unless the Permittee has fully paid and satisfied its obligations under this Permit, including, without limitation, the full payment of fees and compliance with the General and Special Conditions.

**DECALS ARE NOT TRANSFERABLE BETWEEN VEHICLES.**

Affix the decal or other approved temporary permit on the interior lower left corner of the Driver's side windshield of the authorized. In compliance with State & Federal regulations, sticker decal shall not extend more than 4 ½ inches from the bottom or located outside the area swept by the windshield wipers or located outside the driver's sight lines to the road and highway signs or signals. Decals must be clearly visible.

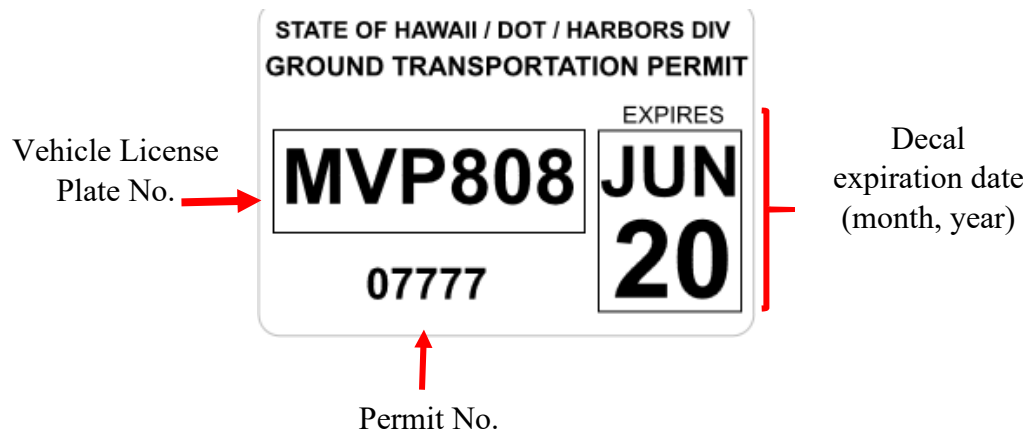
**Replacement:** A one-time replacement can be made when a vehicle is taken out of service for any reason, including short & immediate repair, or for other than for short & immediate repair, the Permittee may utilize the remaining time on the original permitted vehicle and issued a new decal – **Provided a) the original decal is removed and returned to DOT Harbors Maui District; b) a copy of the replacement vehicle's valid registration card and a copy of a valid vehicle insurance card are submitted; and c) \$27.50 is paid for the replacement decal.**

In order to obtain the replacement decal for new vehicles, the Permittee must submit to the District Office the new registration or certificate of purchase covering the new vehicle, together with the unexpired decal. Proof of insurance coverage is also required and **SHALL BE VALID FOR AT LEAST NINETY(90) DAYS FROM THE TIME A REPLACEMENT DECAL IS REQUESTED.**

Damaged, destroyed, worn or faded decals may be replaced free of charge, provided the original decal is returned.

The Permittee must purchase another decal if the original is lost or stolen.

**Effective July 1, 2019 - The Harbors Ground Transportation Permit is as shown below. The diagram details important information located on the decal.**



#### **LIMITATION ON LOCATIONS FOR AUTHORIZED VEHICLES:**

Parking or stopping, including loading and unloading to and from the vehicles, is allowed only in areas designated by the Harbor Master. **Failure to follow this rule may result in the immediate suspension or termination of the permit.**

#### **6. INDEMNITY:**

The Permittee shall defend, hold harmless and indemnify the State, its officers, agents, and employees from and against any and all claims, demands, suits, actions, judgments, damages, liability, losses, costs and expenses, including, without limitation, claims for property damage, personal injury or death, arising out of or related to the Permittee's use of State property, the Permittee's operations under this Permit, or any act or omission of the Permittee relating thereto.

#### **7. VEHICLE REGISTER:**

Each Permittee must properly complete the attached vehicle register prior to receiving a Permit. The Permittee must be an authorized agent for the named entity and each insurance policy must be issued to the entity or the Permittee, and cover all listed vehicles.

The Harbor Master may require each Permittee, Permittee's driver(s), agents, employees, and any individual conducting business on harbors property to submit such other official documents including, without limitation, driver's licenses, business licenses, taxi licenses, PUC licenses, motor vehicle registrations, vehicle identification cards, and tax clearances, as the Harbor Master deems necessary to verify any information in this Permit or the application submitted in connection with it.

**8. IMMEDIATE NOTIFICATION OF CHANGES:**

**THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE HARBOR MASTER IN WRITING WITHIN SEVEN (7) DAYS** of any changes to any information provided to the Harbor Master in the Permittee's permit application or this Permit. **Failure to do so may result in the immediate suspension or termination of the permit.**

**9. NO PROPERTY RIGHT:**

Each Permittee acknowledges and agrees that any Permit issued to said Permittee does not constitute a property right of any kind and that by issuing a Permit, the State is only allowing the Permittee the privilege of operating within state property, subject to conditions and restrictions as may be imposed by the Harbor Master, including, without limitation, the conditions and restrictions set forth herein.

**11. COMPLIANCE WITH LAWS:**

Each Permittee, including its agents, employees and invitees, must comply with all applicable federal, state, and county laws, statutes, ordinances, rules and regulations, and the failure to do so may result in termination of the Permit as provided under paragraph 14 herein.

**12. MARITIME TRANSPORTATION SECURITY ACT:**

The Permittee, in accepting the Permit, acknowledges that pursuant to the Homeland Security Act (Pub.L.No. 107-295, 116 Stat.2135), and the Maritime Transportation Security Act (46 U.S.C.A. §70101, et al), the State's duties include, among other things, the duty to safeguard persons, property, and port infrastructures from destruction, loss, injury, and from acts of sabotage or other causes of a similar nature.

The Permittee further acknowledges that the State, as the owner and operator of the State's commercial harbors, must comply with all requirements under the Maritime Transportation Security Act (46 U.S.C.A. §70101, et al), and its successor statutes and implementing regulations (collectively, the "MTSA"). The provisions of the MTSA are hereby incorporated by reference as though fully set forth herein.

The Permittee acknowledges and agrees that it and its agents, employees and invitees shall, to the extent applicable, abide by the requirements of the MTSA. Furthermore, Permittee, its agents, employees and invitees, shall not obstruct, interfere with, or fail to obey the lawful command of, any state personnel in carrying out the duties required under the MTSA. Any violation of the above conditions may be grounds to terminate, suspend, or cancel the Permit as set forth under paragraph 14 herein.

**13. ENFORCEMENT:**

**NO VEHICLE IS AUTHORIZED TO OPERATE ON STATE PROPERTY WITHOUT A VALID GROUND TRANSPORTATION PERMIT** or temporary permit issued by the Harbor Master pursuant to HAR 19-44-53. Vehicles operating at State-owned facilities without a proper decal will be subject to citation for such violation.

The Permittee shall not operate any vehicle in any area not designated for authorized use, including on the apron areas of piers.

**14. TERMINATION:**

The Harbor Master, in its sole discretion, may terminate, suspend, or cancel the Permit upon thirty (30) days written notice sent by certified mail, return receipt requested, to the Permittee's last known address. The thirty (30) day notice period shall commence on the date the Harbor Master sends the written notice of termination to the Permittee. Notwithstanding the foregoing, the Harbor Master may immediately terminate this Permit in the event the Harbor Master determines that the Permittee is creating an imminent and unreasonable risk to the safety or security of state property or others.

If this Permit is terminated for any reason other than the Permittee's failure to comply with any applicable federal, state, or county law, rule, or mandate, or any of the General and Special Conditions contained herein, the State will refund the applicable pro- rata portion of the Permit fees based on the date the Permit is terminated.

If a Permit is terminated or cancelled by the Harbor Master, the Permittee may not apply for another Permit until the next permit application period. No person including without limitation, an individual, partnership, corporation or association, shall be granted a Permit who has had more than one previous Permit terminated or cancelled by the Harbor Master within the five years preceding the date of a permit application. No Permit shall be made to any person including without limitation, an individual, partnership, corporation, or association, who is in arrears in the payment of taxes, rents, or other obligations owing the State.

Any termination or cancellation of a Permit shall not relieve the Permittee's obligation to indemnify, defend, and hold harmless the State pursuant to paragraph 7 herein with respect to any such claims, demands, suits, actions, judgments, liabilities, costs and expenses for loss, injury, death or damage arising prior to such termination or cancellation of the Permit.

## 15. PERMITTEE IS RESPONSIBLE FOR ITS DRIVERS AND EMPLOYEES

The Permittee agrees that it is responsible for the actions, omissions, and behavior of its agents, guests, invitees, drivers and employees including, without limitation, any belligerent, abusive, disruptive, and unlawful behavior, including the refusal to obey the lawful command of any Harbor Master, Harbor Agent, or Harbor Security personnel. The Permittee acknowledges that failure to correct such actions, omissions, and behavior may result in termination of the Permit as provided under paragraph 14 herein.

### GROUND TRANSPORTATION HARBOR MASTER SPECIAL CONDITIONS Kahului Harbor / Kaunakakai Harbor

**ALL** personnel – including Permittee, Permittee’s driver(s), agents, employees, and any individual conducting business on harbors property – shall immediately report suspicious activities, security incidents or issues, and operations problems or issues to Harbors Maui District Facility Security Officers (808-357-0665 / 808-344-7950), Harbors Maui District Office (808-873-3350), Kahului Harbor Roving Security Officer (808-475-8706), or Kaunakakai Harbor Agent (808-285-0935 / 808-553-1700).

As a condition of being issued a new Ground Transportation Permit, the undersigned agrees to abide by the Harbor Master Special Conditions. It is understood and agreed that a continued presence in Kahului Harbor by the Permittee, Permittee’s driver(s), agents, employees, and any individual conducting business on harbors property depends on compliance with this agreement, the provisions of which are stated below:

1. **GENERAL RULES FOR ALL PERMITTEES – Violations of any of the rules below may result in the immediate suspension from Kahului Harbor and/or Kaunakakai Harbor:**
  - a. **ALL** personnel – including Permittee, Permittee’s driver(s), agents, employees, and any individual conducting business on Harbors property or seeking access into any Harbors facility – shall possess a valid TWIC.
  - b. **ALL** drivers shall possess a valid government-issued driver’s license with photo identification.
  - c. **ALL** personnel – including Permittee, Permittee’s driver(s), agents, employees, and any individual conducting business on Harbors property – shall be professional, conscientious and courteous; shall conduct himself or herself at all times in a manner which reflects credit to the Department of Transportation and the State of Hawaii; and shall promote orderly operations.
  - d. Inappropriate behavior on Harbors property which may or does cause any distraction to Harbors Management or Harbors security personnel will be deemed a Breach of Security and immediate appropriate actions will be taken – including notification of the Harbor Master, Facility Security Officer, Harbor Enforcement Officer, Harbor Agent, USCG, and local State & County law enforcement officers.
  - e. Drivers shall, at all times, obey all posted traffic and security signs. **Speed limit within the secured and restricted areas is FIVE (5) MPH.**
  - f. For the safety of all personnel, tour operators, shuttle van and taxi drivers shall be responsible to exercise extreme caution while operating within their respective designated areas and within Kahului & Kaunakakai Harbors.
  - g. Drivers are requested to ensure returning passengers and crew members have their boarding pass and photo identification in their possession prior to approaching security at the Harbors facility access gates.
  - h. Drivers shall be subject to random security inspections of driver and vehicle.
  - i. Drivers are not authorized to stage or park commercial vehicles, with or without ground transportation permits, in or on Harbors facilities, unless specifically authorized by the Harbor Master, Facility Security Officer, or the State Security Officer.
  - j. Drivers are not authorized to drop off passengers or crew members directly in front of any security gate.
  - k. **ALL** personnel – including Permittee, Permittee’s driver(s), agents, employees, and any individual conducting business on Harbors property – are allowed, with a valid TWIC, to use the comfort stations at Kahului Harbor Pier 1 passenger terminal or Kaunakakai Harbor Ferry Terminal for personal hygiene purposes only.
  - l. Drivers shall remain inside the vehicle in the designated ground transportation area **AT ALL TIMES WHENEVER THE VEHICLE ENGINE IS ON OR IDLING.**
  - m. Drivers are allowed stand no more than three (3) feet **OUTSIDE OF THEIR VEHICLE IF THE ENGINE IS TURNED OFF WITH THE PARKING BRAKES ON.**
  - n. **SOCIAL GATHERING** (without minimum 6 feet distance of each other), **SOLICITATION, LOITERING, AND LITTERING ARE STRICTLY PROHIBITED.**

**2. SPECIFIC RULES FOR TOUR OPERATORS AND SHUTTLE VAN DRIVERS – Violations of any of the rules below may result in the immediate suspension from Kahului Harbor and/or Kaunakakai Harbor:**

- a. Tour operators and shuttle van drivers in vehicles with valid Ground Transportation Permit(s) shall only be allowed access into the restricted ground transportation areas to pick up pre-arranged tours.
- b. Permittee shall be allowed only **ONE (1) GREETER PER COMPANY** in the restricted passenger waiting areas outside the passenger terminal unless specifically authorized by the Harbor Master or the Facility Security Officer or the Harbor Enforcement Officer or the Harbor Agent.
- c. The restricted ground transportation areas are reserved for active loading and active unloading only. **Instructions and information to tour customers shall be conducted in the greeting area prior to loading or in the tour van outside the harbor facility.**
- d. The maximum waiting time for pre-arranged tours shall be **FIFTEEN (15) MINUTES** unless specifically authorized by the Harbor Master or the Facility Security Officer or the Harbor Enforcement Officer or the Harbor Agent.

**3. SPECIFIC RULES FOR TAXICAB DRIVERS AND LIMOUSINE DRIVERS – Violations of any of the rules below may result in the immediate suspension from Kahului Harbor:**

- a. Harbors security personnel are authorized to control access into the restricted ground transportation areas and the number of taxicab and limousine drivers allowed access into the restricted ground transportation areas will be at the discretion of the Harbor Master or the Facility Security Officer or Harbor Enforcement Officer or the Harbor Agent.
- b. Taxicab and limousine drivers in vehicles with valid Ground Transportation Permit(s) shall only be allowed access into the restricted ground transportation areas to pick up or drop off passengers or crewmembers.
- c. **ALL** drivers shall prominently display **BOTH Taxicab Business Permit and Taxicab Driver's Permit in full view on the interior dashboard facing the front passenger seat.**
- d. Taxicab and limousine drivers shall pick up or drop off passengers and crewmembers only at the designated taxicab areas authorized by the Harbor Master or the Facility Security Officer of the Harbor Enforcement Officer or the Harbor Agent.
- e. Taxicab and limousine drivers are prohibited to display any form of self-stick or magnetic business and advertisement signs, ride sharing decals (UBER, Lyft, etc.) or any other signs in or around the vehicles in full view of the public while on Harbors property (Hawaii Administrative Rule 19-42-122).
- f. Taxicab and limousine drivers are prohibited from negotiating taxicab fares on Harbors property.
- g. Taxicab and limousine drivers may respond to passenger questions.
- h. **FOR KAHULUI HARBOR** – Taxicab and limousine drivers shall take the next available passenger(s) or crewmember(s) at the designated taxicab area. Taxicab and limousine drivers have the option, though strongly discouraged, to refuse requests for transportation to/from Haleakala, Kahakuloa, Hana, beyond Kula and beyond Makena and/or passenger specific requests i.e. disabled, larger vehicle, etc..
- i. **FOR KAHULUI HARBOR** – The following rules regarding **PRE-ARRANGED** pick up of passengers and crewmembers shall apply:
  - i. Taxicab and limousine drivers shall provide the security guards at entry Gate 6 the first & last names of passengers or crew members along with their cruise ship cabin number. **Access will be denied if this information is not provided to security.**
  - ii. **The maximum waiting time for pre-arranged taxi or limousine pick up shall be TEN (10) minutes.**
  - iii. Taxicab and limousine drivers shall have their vehicle engines OFF and shall remain inside their vehicles or stand no more than three (3) feet next to their own vehicles at all times.
  - iv. **Solicitation** of passengers or crew members waiting at the designated taxicab area to meet taxicab and limousine drivers at the designated pre-arranged area **is strictly prohibited.**

**4. VIOLATIONS:**

- a. Failure to comply with any of the Harbor Master Special Conditions may result in the immediate suspension of **ALL VIOLATORS** from Kahului Harbor and/or Kaunakakai Harbor– including Permittee, Permittee's driver(s), agents, employees, and any individual conducting business on harbors property or seeking access into any harbor facility – in accordance with the terms of the applicable Harbors Ground Transportation Permit(s) on a case-by-case basis.
- b. Failure to comply with any imposed suspension shall result in the immediate termination or cancellation of the Harbors Ground Transportation Permit(s).





STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
101 E. KAAHUMANU AVENUE, SUITE 100  
KAHULUI, MAUI, HI 96732-2151

HARBOR MASTER NOTICE  
MAUI DISTRICT  
HMN-M 01.22

I. WHO DOES THE HARBOR MASTER NOTICE APPLY TO?

- All *Contractors*<sup>1</sup> entering, working, or providing service in any State facility<sup>2</sup>.
- All *Visitors*<sup>3</sup> to State facilities where contact with State employees or members of the public is possible.

A. CONTRACTORS

1. Effective September 13, 2021, all *Contractors* who enter, work, or providing services in any State Facility shall identify all employees accessing State Facilities and attest<sup>4</sup> that each employee is: (1) fully vaccinated<sup>5</sup> for COVID-19; (2) partially vaccinated for COVID-19 (including receipt of one dose of a two-dose course of vaccination); or (3) not vaccinated for COVID-19;
2. For Contractor's employees who are partially vaccinated or not vaccinated, Contractor will ensure and be able to provide weekly verification<sup>6</sup> that any unvaccinated or partially vaccinated employee who accesses a State Facility is subject to regular COVID-19 testing with weekly verification.<sup>7</sup>

<sup>1</sup> EO 21-07, 1.c.ii. Definition of Contractor

<sup>2</sup> EO 21-07, 1.c.iv. Definition of Facility

<sup>3</sup> EO 21-07, 1.c.vi. Definition of Visitor

<sup>4</sup> EO 21-07, 1.c.i Definition of Attestation

<sup>5</sup> EC 21-07, 1.c.v. Definition of Fully Vaccinated

<sup>6</sup> EO 21-07, 1.c.iii Definition of Covid-19 Test

<sup>7</sup> EO No. 21-07, 1.a.i.b. c Contractor will ensure and provide weekly verification

### 3. WHO IS A CONTRACTOR” OR “CONTRACTOR’S EMPLOYEE?

*Contractor” or “Contractor’s Employee” (See Footnote 1) means any:*

- a. *Contractor*, volunteer, or vendor providing goods, equipment, construction, consulting, or any other materials or services to the State whether paid or unpaid;
- b. *Concessionaire, permittee, or commercial operator* in any State facility (See *Footnote 1*); or
- c. Anyone employed by the contractor or providing service for or on behalf of the contractor who enters, works, or provides services (See *Footnote 1*) in any State facility under any type of subcontract or other agreement.

## B. VISITOR

### 1. EFFECTIVE DATE

September 13, 2021, Visitors (see *Footnote 3*) entering, working, or providing service in any State facility shall provide verification that they are fully vaccinated for COVID-19, or, if not fully vaccinated, show their negative test result by: (1) showing official documentation evidencing their negative test result of a COVID-19 test (See *Footnote 6*); or (2) the use of various publicly available health status applications such as the State of Hawaii Smart Health Card, Common Pass applications, CLEAR Health Pass, Azova, IBM Digital Health Pass, and other similar products available to the public.

### 2. WHO IS A VISITOR?

- a. “*Visitor*” means individuals entering any State Facility who is not a State employee, volunteer, vendor, contractor, or employee of a contractor (See *Footnote 3*).
- b. Exclusions: EO No. 21-07 shall not include<sup>8</sup>: Visitors (See *Footnote 3*) on outdoor State government properties; persons under the age of twelve (12); individuals entering any state Harbor for the purpose of

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<sup>8</sup> EO 21-07, 1.c.vi)

traveling out of or into a Harbor located within the State; or individuals making deliveries to a State Facility and who leave within ten (10) minutes of entry.

## C. FACILITY

### 1. CAN YOU DEFINE FACILITY?

*“Facility” or “Facilities”* mean any facility, building, or other property controlled and used by the State to conduct government business, or any other property that is the site of a government project .

## II. IMPLEMENTATION REQUIREMENTS

Effective September 13, 2021, all Contractor, Contractor’s employees, and Visitors entering, working, or providing services in any State Facility shall be required to comply with the following:

### A. CONTRACTORS SHALL:

1. Identify all of its employees accessing State facilities *and attest* that each employee is: (1) fully vaccinated for COVID-19; (2) partially vaccinated for COVID-19 (including receipt of one dose of a two-dose course of vaccination); or (3) not vaccinated for COVID-19.
2. For those of Contractor’s employees who are partially vaccinated or not vaccinated, Contractor will ensure and be able to provide weekly<sup>9</sup> verification that any unvaccinated or partially vaccinated employee is subject to regular COVID-19 testing that shall occur once per week.
3. Contractors shall ensure that any unvaccinated or partially vaccinated employee does not enter, work, or provide services in any State Facility unless the employee obtains a negative test result of a COVID-19 test as a condition to being allowed to enter or remain in any State Facility.

### B. VISITORS SHALL:

1. Provide verification that they are fully vaccinated for COVID-19, or, if not fully vaccinated, provide proof of their negative test result (see

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<sup>9</sup> EO No. 21-07, 1.a.i.b. c Contractor will ensure and provide weekly verification.



2. Any violation of EO No. 21-07 by a Contractor or Contractor's employee may also be subject to contractual remedies or other remedies as allowed under the law.

### III. HOW DO I COMPLY WITH EO NO. 21-07 (ACCESS TO STATE PROPERTY) HARBOR MASTER NOTICE?

- A. The Department of Transportation cannot provide advice to a Contractor or Visitor how they will comply with EO No. 21-07 (Access to State Property) or to this HARBOR MASTER Notice other than what is stated in EO No. 21-07. However, EO No. 21-07, places *the burden on the Contractor* to ensure its employees are following the requirements of EO No. 21-07. The Order also places the responsibility on a Visitor to demonstrate that they are complying with the requirements of EO No. 21-07.
- B. The *Contractor* on behalf of itself and its employees' shall:
  1. Attest to the vaccination status of each employee accessing a State Facility; and
  2. Ensure the employee obtains a negative test result of a COVID-19 test as a condition to being allowed to enter or remain in any State facility.
- C. WHAT HAS THE DEPARTMENT OF TRANSPORTATION IMPLEMENTED REGARDING ITS ATTESTATION AND TESTING PROGRAM?

The Department of Transportation cannot provide advice to a Contractor or Visitor how they will comply with EO No. 21-07 (Access to State Property) or to this HARBOR MASTER Notice other than what is stated in EO No. 21-07. The Department of Transportation shares its own application of an Attestation and Weekly Testing forms to the Contractor or Visitor as a sample only.

1. **ATTESTATION.** The Department of Transportation complied with the Governor's August 5<sup>th</sup>, 2021 Emergency Proclamation by requiring all State and county employees to attest to vaccination status by completing *ATTACHMENT A, COVID-19 Vaccination Status Attestation Form*. All forms were

*Footnote 6)* by showing:

- a. Official documentation evidencing their vaccination status or negative test result of a COVID-19 test; or
- b. Proof of testing status using the various publicly available health status applications such as the State of Hawaii Smart Health Card, Common Pass applications, CLEAR Health Pass, Azova, IBM Digital Health Pass, and other similar products available to the public.

#### D. OTHER REQUIREMENTS

If not otherwise required by State or county orders, all Contractors, Contractor's employees, and Visitors, whether fully vaccinated, unvaccinated, or partially vaccinated, shall wear a mask the entire time they are present in any State Facility and physically distance themselves from others.

#### E. **EXEMPTIONS**

Notwithstanding the provisions set forth herein, all persons subject to this Order also shall comply with any county orders, rules, or directives that are more restrictive, *unless an express exemption is granted by the Governor or Director of Emergency Management.*

To the best of the DOT's knowledge, Contractors or Visitors seeking exemptions requests should visit <https://dod.hawaii.gov/>.

#### F. ENFORCEMENT

1. Any Contractor, Contractor's employee, or Visitor shall not be allowed to remain on or in any State Facility unless they are following EO No. 21-07 and this Notice. Any unvaccinated or partially vaccinated Contractor, Contractor's employee, or Visitor not in compliance with EO No. 21-07 or found to have submitted falsified information pursuant to EO No. 21-07 shall be precluded from entry to any State Facility until they are in full compliance.

distributed through Department of Transportation email and or to print paper copies sent to offices and distribution to employees without email. Employees submitted their forms to their respective departmental-Divisional human resource Master to collect and record statistics of those:

- a. Vaccinated.
- b. Chose testing in lieu of vaccination (and weekly monitoring and results).
- c. Seeking a medical or religious exemption.
- d. Those placed on leave without pay subject to further employment action to ensure compliance.

## 2. WEEKLY TESTING

The Department of Transportation complied with the Governor's August 5, 2021 Emergency Proclamation by requiring all State and county employees to attest to their weekly testing by completing *ATTACHMENT B, COVID-19 Weekly Testing Attestation*.

## IV. HOW WILL THE DEPARTMENT OF TRANSPORTATION ENFORCE EO NO. 21-07 (ACCESS TO STATE PROPERTY) HARBOR MASTER ORDER?

### A. CONTRACTORS

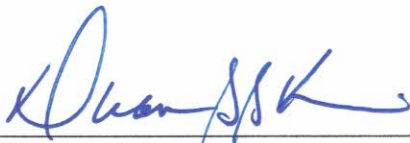
EO No. 21-07 (Access to State Property) will be enforced by the HARBOR MASTER, Project Engineer, or agent. These State employees will conduct random audits of contractor compliance. Contractors or their employees, as defined herein, found not in compliance with EO No. 21-07 will be required to immediately leave the State Facility. Contractor's employees will not be allowed on the State Facility until the Contractor shows proof of compliance with EO No. 21-07 or *proof of an exemption*.

Thereafter, the HARBOR MASTER, Project Engineer, or agent will work with the Contracts office and the Deputy Director to determine if a contractual remedy will be imposed for the non-compliance.



B. VISITORS

1. EO No. 21-07 (Access to State Property) will be enforced by the HARBOR MASTERS, Project Engineer, or agents conducting audits of compliance by Visitors entering into or who are on State Facilities. Visitors without proof of vaccinations or weekly testing will not be allowed to enter or remain on or in a State Facility.
2. Visitors, as defined herein and not excluded from EO No. 21-07, who are found within a State Facility and not in compliance with EO No. 21-07 will be required to immediately leave the State Facility. They will not be allowed to return and access the State Facility until they demonstrate that they are following EO No. 21-07.

  
\_\_\_\_\_  
Harbor Master  
\_\_\_\_\_  
Date

### COVID-19 Vaccination Status Attestation

Please check the box below that coincides with your vaccination status and return this attestation form to department designee by Close of Business on (Day), September xx, 2021. New employees must complete and submit this form prior to their first day of employment.

☒ **I am fully vaccinated and have attached a copy of my CDC COVID-19 Vaccination Record Card.**

Employees are considered “fully vaccinated” two weeks after completing the second dose of a two-dose COVID-19 vaccine (*e.g.*, Pfizer or Moderna) or two weeks after receiving a single dose of a one-dose vaccine (*e.g.*, Johnson & Johnson/Janssen).

☐ **I am not yet fully vaccinated—I received my first dose of the Moderna or Pfizer vaccine, and my second appointment has been scheduled or I received my final dose less than two weeks ago or I received a single dose of a one-dose vaccine (*e.g.*, Johnson & Johnson/Janssen) less than two weeks ago.**

☐ **I have not been vaccinated.**

Employees who choose not to complete the form will be assumed to be not fully vaccinated for purposes of application of the safety protocols. If you are not vaccinated due to medical or religious reasons, please check “I have not been vaccinated.” If you have already received one dose of a vaccine, but are not yet fully vaccinated, or if you received your final dose less than two weeks ago, then you will be treated as **not** fully vaccinated until you are at least two weeks past your final dose and have resubmitted your vaccination information.

Employees who are not fully vaccinated will be required to undergo COVID-19 testing on a weekly basis and submit those results in a timely manner to their department designee. Departments may require up to two tests per week. You may go to any free COVID-19 testing site (see <https://hawaiiicovid19.com/testing-isolation-quarantine/>).

**Consequence of Failure to Provide Information:** I attest that the information provided in this form is accurate and true to the best of my knowledge. I understand that knowingly making a false statement on this form is a crime and can be punished by fine or imprisonment or both (HRS § 710-1063). I understand that making a false statement on this form may also result in disciplinary action, up to and including termination.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Email Address



### COVID-19 Weekly Testing Attestation

As required in accordance with Governor Ige's Emergency Proclamation 21-07 of September 8, 2021, all employees of the State of Hawaii who do not, by xxxxx, 2021, provide proof that (i) they are fully vaccinated for COVID-19; (ii) have completed a single-dose vaccine; or (iii) have completed the second dose of a two-dose series **shall be subject to regular COVID-19 testing**. A State of Hawaii Executive Branch employee who is not fully vaccinated must provide this attestation of a negative COVID-19 test prior to the commencement of work at least weekly, unless exempted from testing as stated below. The information provided must be accurate and complete to the best of the individual's knowledge. I understand that information I am providing is protected health information that will be stored with other confidential medical information, which are kept in a secure location apart from my personnel file.

I understand that knowingly making a false statement on this form is a crime and can be punished by fine or imprisonment or both (HRS § 710-1063). I also understand that making a false statement on this form may result in disciplinary action, up to and including termination. I have read the above disclosure pertaining to my obligation to obtain and submit to my department, office or agency designee, this attestation of a negative test result for COVID-19 from an FDA emergency use authorization antigen or nucleic acid amplification test completed by a CLIA certified laboratory or testing site prior to the commencement of work.

- I attest to one of the following (please select one) for the work week starting on \_\_\_\_\_
- ☐ I have received a negative test result for COVID-19 within the past seven days and have attached documentation if required by my department, office or agency.
- ☐ I have received a negative test result for COVID-19 within the past seven days but did not receive documentation from the laboratory/testing site and have completed the fields below.

Name and Location of Testing Site \_\_\_\_\_

Date of Test \_\_\_\_\_

- ☐ I have not received a negative test result for COVID-19 within the past seven days, but was previously diagnosed with COVID-19 and have attached documentation (such as a positive PCR test) that confirms this diagnosis. I understand that I have an exemption from the weekly testing requirement for 90 days from the date of that positive test but will need to resume weekly testing thereafter if I am not fully vaccinated by then.

Date of Positive Test Result \_\_\_\_\_

- ☐ I am partially vaccinated and intend to become fully vaccinated by xxxxxx, 2021, or alternately, if I choose to begin a COVID-19 vaccination regimen, I will complete the regimen within four weeks. I will submit a new Vaccination Attestation form and CDC COVID-19 Vaccination Record Card at that time.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date