

DEPARTMENT OF TRANSPORTATION

Rules Repealing Rules and Regulations  
Establishing a Fee Schedule for the Issuance of a  
Permit to Perform Work on State Highways,  
and Adopting Chapter 102, Title 19,  
Administrative Rules

SUMMARY

1. Rules and Regulations Establishing a Fee Schedule for the Issuance of a Permit to Perform Work on State Highways are repealed.
2. Chapter 102 of title 19, entitled "Fee Schedule for the Issuance of a Permit to Perform Work on State Highways", is adopted.

TITLE 19 DEPARTMENT OF TRANSPORTATION

SUBTITLE 4 HIGHWAYS DIVISION

CHAPTER 102

FEE SCHEDULE FOR THE ISSUANCE OF A  
PERMIT TO PERFORM WORK ON STATE HIGHWAYS

- Sec. 19-102-1 Purpose
- Sec. 19-102-2 Definitions
- Sec. 19-102-3 Fee schedules
- Sec. 19-102-4 Method of measurement
- Sec. 19-102-5 Payment for overtime inspection
- Sec. 19-102-6 Waiver of fees
- Sec. 19-102-7 Repeal

Historical note. This chapter is based substantially on the rules and regulations establishing a fee schedule for the issuance of a permit to perform work on state highways. [Eff. 1/24/70; R MAY 30 1981

Sec. 19-102-1 Purpose. The purpose of this chapter is to establish a fee schedule for the issuance of permits to perform work on state highways which shall provide revenues sufficient to defray any expenses the department of transportation may incur in connection with the permits. [Eff. MAY 30 1981 (Auth: HRS Sec. 264-7) (Imp: HRS Sec. 264-7)

Sec. 19-102-2 Definitions. As used in this chapter, unless the context clearly indicates otherwise:

"State highways" means all highways designated for inclusion in the state highway system and under the jurisdiction of the department of transportation.

The designated state highway system is comprised of the following highways:

- (1) Federal-aid highways:
  - (A) Interstate and defense highways;
  - (B) Federal-aid primary state highways;
  - (C) Federal-aid secondary state highways;  
and
  - (D) Federal-aid urban state highways.
- (2) Nonfederal-aid state highways.

"State" means the State of Hawaii.

"Department" means the department of transportation of the State or its highways division.

"Director" means the director of the department of transportation of the State or his duly authorized representative.

"Applicant" means the individual, firm, partnership, corporation, governmental agency, etc., to whom a permit is issued.

"District engineer" means the highways division's district engineer of Oahu, Hawaii, Kauai, or Maui, as the case may be, or his duly authorized representative.  
[Eff. JUN 01 1981 ] (Auth: HRS Sec. 264-7) (Imp: HRS Section 264-7)

Sec. 19-102-3 Fee schedules. The following fees are due and payable at the time an application is made for a permit. The minimum fee is \$10; it shall not be refundable even if the applicant, after the issuance of the permit and payment of the fee, decides not to proceed with the construction. The minimum fee of \$10 covers administrative costs, such as the cost of processing the permit and reviewing the construction plans.

- (1) Schedule I - The fee for a permit to trench for installations such as pipelines, underground cables, and ditches:
  - (A) For the first 20 lineal feet of trench, 50 cents per lineal foot.
  - (B) For the balance of the trench, 10 cents per lineal foot.
- (2) Schedule II - The fee for the permit for all other construction such as for driveways and subdivision road connections:
  - (A) For the first 20 square yards, 50 cents per square yard.
  - (B) For the balance of the area, 10 cents per square yard. [Eff. JUN 01 1981 ]  
(Auth: HRS Sec. 264-7) (Imp: HRS Sec. 264-7)

Sec. 19-102-4 Method of measurement. Quantities for the determination of the fee shall be computed by the district engineer from the approved construction plans. [Eff. JUN 01 1981 ] (Auth: HRS Sec. 264-7)  
(Imp: HRS Sec. 264-7)

Sec. 19-102-5 Payment for overtime inspection. In the event the operations under the permit require inspectional services other than during the normal working hours of the department, the applicant shall

reimburse the department for any additional costs incurred for these services. The applicant shall pay the moneys due promptly upon billing. The normal working hours of the department's inspectional staff are 7:30 A.M. to 4:15 P.M. Mondays through Fridays except legal holidays. Overtime shall be any hours worked in excess of the normal eight working hours per day or on Saturdays, Sundays, or legal holidays. [Eff. MAY 30 1981 (Auth: HRS Sec. 264-7) (Imp: HRS Sec. 264-7)]

Sec. 19-102-6 Waiver of fees. No fee shall be required where the only work to be done is the setting of poles and guys to carry overhead wires. The director may waive the fee payable by any governmental agency where the work involves the construction of concrete sidewalk, asphaltic concrete footpath, pedestrian underpass or overpass, installation of storm drain lines to alleviate flooding problems, installation of traffic signals and street lights, flood control projects, and other related construction which provides for the safety of pedestrians and the improvement of the highway facility. [Eff. MAY 30 1981 (Auth: HRS Sec. 264-7) (Imp: HRS Sec. 264-7)]

Sec. 19-102-7 Repeal. All rules and regulations establishing a fee schedule for issuance of a permit to perform work on state highways in effect prior to the effective date of this chapter are repealed. [Eff. MAY 30 1981 HRS Sec. 264-7) (Imp: HRS Sec. 264-7)]

DEPARTMENT OF TRANSPORTATION

I, RYOKICHI HIGASHIONNA, in my capacity as the Director of Transportation of the State of Hawaii, pursuant to the authority vested in me by law, do hereby adopt the foregoing Chapter 102 of Title 19 which contains rules relating to the Fee Schedule for the Issuance of a Permit to Perform Work on State Highways.


The rules in this chapter are being adopted following public hearings held on March 31, April 1, 2, and 3, 1981, notice of which was duly published on March 2, 1981 in the Honolulu Advertiser, Honolulu Star-Bulletin, Hawaii Tribune Herald, Maui News and Garden Island News.

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
RYOKICHI HIGASHIONNA  
Director of Transportation

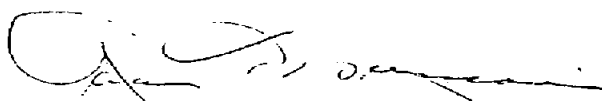
Date: May 13, 81

APPROVED:

  
GEORGE R. ARIYOSHI  
Governor  
State of Hawaii

Date: May 18, 1981

APPROVED AS TO FORM:

  
Deputy Attorney General

RECORDED

DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE LIEUTENANT GOVERNOR