July 1, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai‘i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai‘i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 1, 2016, the following bill was signed into law:

HB2543 HD2 SD1 RELATING TO BROADBAND
ACT 193 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO BROADBAND.

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

SECTION 1. Act 151, Session Laws of Hawaii 2011, as amended by section 3 of Act 264, Session Laws of Hawaii 2013, is amended by amending section 2 to read as follows:

"SECTION 2. [Beginning January 1, 2012, [to January 1, 2017,] actions relating to the installation, improvement, construction, or development of infrastructure relating to broadband service or broadband technology, including the interconnection of telecommunications cables, shall be exempt from county permitting requirements, state permitting and approval requirements, which includes the requirements of chapters 171, 205A, and 343, Hawaii Revised Statutes, and public utilities commission rules under Hawaii Administrative Rules, chapter 6-73, that require existing installations to comply with new pole replacement standards at the time of any construction or alteration to the equipment or installation, except to the extent that such permitting or approval is required by federal law or is necessary to protect eligibility for federal funding, services, or other assistance; provided that the installation,
improvement, construction, or development of infrastructure shall:

(1) Be directly related to the improvement of existing telecommunications cables or the installation of new telecommunications cables:

(A) On existing or replacement utility poles and conduits; and

(B) Using existing infrastructure and facilities;

(2) Take place within existing rights-of-way or public utility easements or use existing telecommunications infrastructure; and

(3) Make no significant changes to the existing public rights-of-way, public utility easements, or telecommunications infrastructure.

An applicant shall comply with all applicable safety and engineering requirements relating to the installation, improvement, construction, or development of infrastructure relating to broadband service.

A person or entity taking any action under this section shall, at least thirty calendar days before the action is taken, provide notice to the director of commerce and consumer affairs.
by electronic posting in the form and on the site designated by
the director for such posting on the designated central State of
Hawaii Internet website; provided that notice need not be given
by a public utility or government entity for an action relating
to the installation, improvement, construction, or development
of infrastructure relating to broadband service or broadband
technology where the action taken is to provide access as the
owner of the existing rights-of-way, utility easements, or
telecommunications infrastructure."

SECTION 2. Act 264, Session Laws of Hawaii 2013, is
amended by amending section 5 to read as follows:

"SECTION 5. This Act shall take effect on January 1,
2014[; and shall be repealed on June 30, 2016]; provided that
this Act shall apply to permit applications filed with the State
or county after December 31, 2013."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2016.
APPROVED this 1 day of JUL, 2016

GOVERNOR OF THE STATE OF HAWAII