



**GOV. MSG. NO. 1295**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

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

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# A BILL FOR AN ACT

RELATING TO BROADBAND.

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

1 SECTION 1. Act 151, Session Laws of Hawaii 2011, as  
2 amended by section 3 of Act 264, Session Laws of Hawaii 2013, is  
3 amended by amending section 2 to read as follows:  
4 "SECTION 2. [~~From~~] Beginning January 1, 2012, [~~to January~~  
5 ~~1, 2017,~~] actions relating to the installation, improvement,  
6 construction, or development of infrastructure relating to  
7 broadband service or broadband technology, including the  
8 interconnection of telecommunications cables, shall be exempt  
9 from county permitting requirements, state permitting and  
10 approval requirements, which includes the requirements of  
11 chapters 171, 205A, and 343, Hawaii Revised Statutes, and public  
12 utilities commission rules under Hawaii Administrative Rules,  
13 chapter 6-73, that require existing installations to comply with  
14 new pole replacement standards at the time of any construction  
15 or alteration to the equipment or installation, except to the  
16 extent that such permitting or approval is required by federal  
17 law or is necessary to protect eligibility for federal funding,  
18 services, or other assistance; provided that the installation,



1 improvement, construction, or development of infrastructure

2 shall:

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

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

8 (B) Using existing infrastructure and facilities;

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

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

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

19 A person or entity taking any action under this section  
20 shall, at least thirty calendar days before the action is taken,  
21 provide notice to the director of commerce and consumer affairs



1 by electronic posting in the form and on the site designated by  
2 the director for such posting on the designated central State of  
3 Hawaii Internet website; provided that notice need not be given  
4 by a public utility or government entity for an action relating  
5 to the installation, improvement, construction, or development  
6 of infrastructure relating to broadband service or broadband  
7 technology where the action taken is to provide access as the  
8 owner of the existing rights-of-way, utility easements, or  
9 telecommunications infrastructure."

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

12 "SECTION 5. This Act shall take effect on January 1,  
13 2014 [~~, and shall be repealed on June 30, 2018~~]; provided that  
14 this Act shall apply to permit applications filed with the State  
15 or county after December 31, 2013."

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

18 SECTION 4. This Act shall take effect on July 1, 2016.



H.B. NO. 2543  
H.D. 2  
S.D. 1

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APPROVED this 1 day of JUL , 2016



GOVERNOR OF THE STATE OF HAWAII