

Rules Amending Title 19
Hawaii Administrative Rules

1. Chapter 19-145, 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

§19-145-1	Purpose
§19-145-2	Definitions
§19-145-3	Authority
§19-145-4	Incorporation by reference
§19-145-5	Applicability

§19-145-1 [Incorporation by reference. Title 49, Parts 107, 171-173, 177, 178 and 180, of the Code of Federal Regulations, as it existed on October 1, 1999, shall govern the procedures pertaining to the transportation of hazardous materials in the State.]

Purpose. The purpose of this chapter is to ensure that the State complies with the 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] (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] (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] (Auth:
HRS §286-202) (Imp: HRS §286-202)

§19-145-4 Incorporation by reference. The
Hazardous Materials Regulations, as they existed on
October 1, 2009, are hereby adopted and incorporated
into this chapter. [Eff 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] (Auth: HRS §286-202)
(Imp: 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 Material, except source notes, to be repealed is bracketed.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.

Director of Transportation

APPROVED AS TO FORM:

Deputy Attorney General