

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

January 11, 2008

**Committee
Report No.**

_____ 08-3

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Budget and Finance Committee, having met on December 17, 2007, makes reference to County Communication No. 07-325, from the Budget Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FINANCE".

The purpose of the proposed bill is to amend the Fiscal Year (FY) 2008 Budget, relating to grant revenues, as it pertains to the Department of Finance by increasing the appropriation for the Commercial Driver License Program from \$369,979 to \$442,187, and increasing the equivalent personnel from 5.0 to 6.0.

Your Committee notes that the Commercial Driver License (CDL) Program is administered by the County on behalf of the State of Hawaii.

At its meeting, your Committee met with the Budget Director; the Deputy Director of Finance; the Motor Vehicle and Licensing Manager, Department of Finance; and a Deputy Corporation Counsel.

There was no public testimony.

The Deputy Director of Finance stated that the additional funds and position are necessary to meet the requirements of the Motor Carriers Safety Improvement Act of 1999 (MCSIA). The Deputy Director further stated that the MCSIA requires the State of Hawaii to track convictions for violations of traffic control laws by CDL holders.

Your Committee notes that the purposes of the MCSIA are to: "(1) establish a Federal Motor Carrier Safety Administration; and (2) reduce the number and severity of large-truck involved crashes through more commercial motor vehicle and driver inspections and carrier compliance reviews, stronger enforcement, expedited completion of rules, sound research, and effective CDL testing, record keeping, and sanctions."

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

January 11, 2008
Page 2

Committee
Report No. 08-3

The Motor Vehicle and Licensing Manager stated that the CDL Program was mandated in 1986 and launched by the State of Hawaii in 1991. The Manager further stated that since the inception of the program, the County has received annual funding from the State of Hawaii to administer the program.

The Manager informed your Committee that the additional employee will be a County employee tasked with tracking the nationwide convictions of the County's 3,400 CDL holders beginning January 1, 2008.

Your Committee was concerned about hiring County employees to administer an expanding CDL program for the State of Hawaii without guaranteed annual funding.

The Manager stated that having County employees administer the program ensures better control of the CDL services provided to our residents.

Your Committee requested that the Department of the Corporation Counsel provide information as to whether the County should require indemnification from the State of Hawaii for administering the CDL program.

Your Committee further requested that the Department of Finance provide a detailed breakdown of the additional \$72,208 of grant funds.

Your Committee voted to recommend passage of the proposed bill and filing of the communication.

Your Committee is in receipt of a revised proposed bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's requested revision to change the year of the bill from "(2007)" to "(2008)".

Your Budget and Finance Committee **RECOMMENDS** the following:

1. That Bill No. _____ (2008), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FINANCE", be **PASSED ON FIRST READING** and be **ORDERED TO PRINT**; and
2. That County Communication No. 07-325 be **FILED**.

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

January 11, 2008
Page 3

Committee
Report No. 08-3

Adoption of this report is respectfully requested.

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COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

January 11, 2008
Page 4

Committee
Report No. 08-3

JOSEPH PONTANILLA **Chair**

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