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DEPARTMENT OF TRANSPORTATION SERVICES

CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

PUBLIC HEARING FOR)
ESTABLISHING RULES AND)
REGULATIONS RELATING TO)
PARADES AND ACTIVITIES)
_____)

Taken at the Honolulu Municipal Building, 650 South King
Street, Honolulu, Hawaii, commencing at 9:09 a.m. on
December 16, 2005, pursuant to Notice.

Before: WILLIAM T. BARTON, RPR, CSR #391
Notary Public, State of Hawaii

PACIFIC REPORTING SERVICES UNLIMITED
Suite 1470, Makai Tower
733 Bishop Street
Honolulu, Hawaii 96813
(808) 524-PRSU

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APPEARANCES:

TY T. FUKUMITSU
MILTON KIKUCHI
Department of Transportation Services
City and County of Honolulu
Honolulu Municipal Building
650 South King Street, 3rd floor
Honolulu, Hawaii 96813

REID M. YAMASHIRO, ESQ.
Deputy Corporation Counsel
650 South King Street, room 110
Honolulu, Hawaii 96813

1 MR. FUKUMITSU: Good morning. My name is Ty
2 Fukumitsu, Acting Chief of the Traffic Signals and
3 Technology Division, Department of Transportation Services
4 City and County of Honolulu.

5 Under section 1-9.1 and 15-24.20(g) of the
6 Revised Ordinances of Honolulu 1990, as amended, and
7 chapter 91 of the Hawaii Revised Statutes, the Department
8 of Transportation Services has been directed to promulgate
9 and establish rules and regulations relating to parades and
10 activities for the Department of Transportation Services.
11 As such we are conducting an official public hearing on the
12 proposed rules this morning.

13 I appreciate your attendance here today. And on
14 behalf of the City and County of Honolulu I declare this
15 public hearing officially opened as legally and publicly
16 advertised in the Honolulu Star Bulletin on November 14,
17 2005. It is now 9:09 a.m.

18 If you have not signed the attendance sheet which
19 is located at the back of the room, please do so before you
20 leave as we wish to have a record of all who are in
21 attendance today.

22 Also, if you would like to present oral testimony
23 today, please fill out the special blue form so that you
24 can be properly recognized. Written testimony can also be
25 submitted today.

1 Written testimony received by 4:30 p.m. on
2 December 16, 2005 will be made part of the public hearing
3 record and will be considered in the post-hearing
4 evaluation concerning the proposal.

5 We welcome participation at this public hearing.
6 A sincere and reasonable objection, asking questions with
7 an open mind, or simply putting oneself on record in favor
8 or opposed to the proposal will be significant
9 contributions.

10 These contributions will aid the Department in
11 making certain that the proposed rules have had the benefit
12 of analysis by the community.

13 Purpose. This public hearing serves of following
14 purposes.

15 One. It provides an assured method for the City
16 and County of Honolulu to inform the public about proposed
17 rules and regulations of the City and County of Honolulu.

18 Two. It offers every interested resident an
19 opportunity to be heard, to make suggestions, to agree or
20 disagree with the proposal.

21 Three. It affords the City and County an
22 opportunity to receive other information from local sources
23 which would be of value to the City's effort to implement
24 the proposed rules of the City and County of Honolulu.

25 Objectives. The objectives of the public hearing

1 are as follows.

2 One. To insure that no local problems are
3 overlooked by the City and County.

4 Two. To provide citizens full details of the
5 proposal.

6 Three. To uncover factual information of value
7 to the Department of Transportation Services planners and
8 engineers.

9 Authority and responsibility.

10 It is not the intent of this public hearing to
11 determine the solution by a majority vote of those present
12 at the hearing.

13 The responsibility of selection of the final
14 proposal rests with the Department of Transportation
15 Services and will be based upon factual information,
16 including the findings uncovered through the public
17 hearing.

18 Public hearings do not relieve the duly
19 constituted officials of the City and County of the
20 necessity for making decisions in those matters for which
21 they are charged with full responsibility.

22 Post-hearing evaluation.

23 Following the public hearing City engineers and
24 administrators will examine the effect of the new
25 information and practical suggestions advanced at the

1 public hearing and consider possible feasible changes in
2 the community's interest before the final rules are
3 adopted.

4 Hearing procedures.

5 Presiding officer. I will be presiding over this
6 public hearing. It will be my duty to insure that the
7 hearing is conducted in a proper and orderly manner.

8 Department's presentation. The Department of
9 Transportation Services will present the proposed rules of
10 the City and County of Honolulu.

11 Formal testimony. Following the Department's
12 presentation, formal testimonies will be received by the
13 presiding officer in the following order.

14 One, public officials.

15 Two, representatives of local organizations.

16 Three, individual residents and property owners.

17 Testimony or remarks shall be limited to three
18 minutes and should be kept brief, concise, and factual,
19 unemotional, and free of any political references, and
20 should deal only with the subject matter. Speakers will be
21 allowed to speak only once, and time is not transferable to
22 other speakers.

23 The Department of Transportation Services is
24 actively seeking the type of testimony which gives
25 information on the economic, social, or other effects of

1 the proposed rules.

2 Extraneous material of any nature whatsoever is
3 not properly part of these public hearings, and all
4 speakers must confine their statements to the subject under
5 discussion.

6 If the testimony wanders from the intended
7 purpose of the public hearing, it shall be the duty of the
8 presiding officer to interrupt and confine the testimony to
9 the proposal.

10 Question and answer. An opportunity will be
11 afforded to raise questions to clarify any part of the
12 presentation or on other matters related directly to the
13 proposal.

14 Identification of participants. All persons
15 speaking or asking questions must audibly identify
16 themselves, and if representing an organization or group
17 must so state.

18 Record. All proceedings are recorded, and
19 typewritten transcription is used in reviewing pertinent
20 data presented or bought at the public hearing.

21 Statements, observations, or questions made
22 elsewhere will not be considered in a post-hearing
23 evaluation relating to the proposal.

24 Written testimony. Written statements should be
25 submitted prior to the deadline. The deadline to submit

1 written testimonies is 4:30 p.m. December 16, 2005.

2 A general description overview of these rules is
3 as follows.

4 Section 23-1-1 states the authority for the
5 Department of Transportation Services to promulgate these
6 rules and regulations relating to parades and activities.

7 Section 23-1-2 states the purpose and objectives
8 of these rules and regulations in preparing and processing
9 applications for parade and activity permits.

10 Section 23-1-3 states the definitions of words
11 and phrases for the purpose of these rules and regulations.

12 Section 23-1-4 states where the public may obtain
13 information as to matters within the jurisdiction of the
14 Department.

15 Section 23-1-5 states who shall administer these
16 rules and regulations.

17 Section 23-1-6 states when a permit is required
18 for any parade or activity.

19 Section 23-1-7 states where to obtain and file
20 permit application forms and information that are required
21 on the forms.

22 Section 23-1-8 lists the conditions for issuance
23 of parade and activity permits.

24 Section 23-1-9 describes the issuance of parade
25 and activity permits.

1 Section 23-1-10 states restrictions to the
2 issuance of parade and activity permits.

3 Section 23-1-11 states notice of issuance,
4 denial, or alternative permit.

5 Section 23-1-12 provides an appeals procedure for
6 any person aggrieved by the decision of the director.

7 Section 23-1-13 describes the authority to deny
8 or revocation of permit and penalties.

9 Section 23-1-14 shall only apply to parades that
10 fall under the category of First Amendment Parades.

11 Section 23-1-15 relates to parking meter fees.

12 In giving oral testimony this afternoon public
13 officials will be invited to speak first. They will then
14 be followed by any representatives of local community
15 organizations and then private individuals who would like
16 to speak.

17 Testimonies or remarks shall be limited to three
18 minutes and should be concise, factual, unemotional, free
19 of political references, and should only deal with the
20 subject matter.

21 Testimonies. Are there any questions at this
22 time? Are there any oral testimonies to be heard at this
23 time?

24 If no, I thank you all for your attendance. The
25 time is now 9:18 a.m., and I declare this public hearing to

1 be officially closed.

2 (Public Hearing adjourned at 9:18 a.m.)

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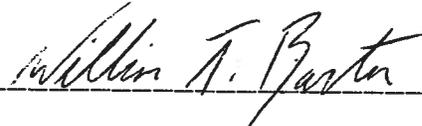
CERTIFICATE

STATE OF HAWAII)
) SS.
COUNTY OF HONOLULU)

I, WILLIAM T. BARTON, RPR, Certified Shorthand Reporter, State of Hawaii, do hereby certify that on December 16, 2005 at 9:09 a.m. there occurred before me the proceedings contained herein; that I am neither counsel for any of the parties herein, nor interested in any way in the outcome of this action;

That the above Public Hearing was by me taken down in machine shorthand and thereafter reduced to print via computer-aided transcription under my supervision; that the foregoing represents a complete and accurate transcript of the proceedings to the best of my ability.

Dated this 27th day of December 2005 at Honolulu, Hawaii.



WILLIAM T. BARTON, CSR No. 391
Notary Public, State of Hawaii
My Commission expires August 7, 2009

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DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 523-4529 • Fax: (808) 523-4730 • Internet: www.co.honolulu.hi.us

MUFI HANNEMANN
MAYOR



MELVIN N. KAKU
DIRECTOR

May 31, 2006

MEMORANDUM

TO: DENISE DE COSTA, CITY CLERK
OFFICE OF THE CITY CLERK

FROM: MELVIN N. KAKU, DIRECTOR
DEPARTMENT OF TRANSPORTATION SERVICES

SUBJECT: RULES AND REGULATIONS RELATING TO PARADES
AND ACTIVITIES

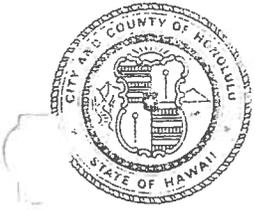
MAY 31 2 54 PM '06
CITY CLERK
OFFICE OF THE CITY CLERK

In accordance with Chapter 91, Hawaii Revised Statutes, we are transmitting the Rules and Regulations Relating to Parades and Activities for filing with the Office of the Lieutenant Governor.

Please send two copies to the Office of the Lieutenant Governor, retain one for your files, and return the original to the Department of Transportation Services.

If you have any questions, please call Ty Fukumitsu at 523-4589.


MELVIN N. KAKU



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

June 1, 2006

The Honorable James "Duke" Aiona, Jr.
Lieutenant Governor
State of Hawaii
P. O. Box 3226
Honolulu, Hawaii 96813

Dear Lieutenant Governor Aiona:

Pursuant to Hawaii Revised Statutes, transmitted for filing are two copies of the adopted Rules and Regulations of the Department of Transportation Services, City and County of Honolulu, relating to parades and activities to become effective on June 10, 2006.

Sincerely,

A handwritten signature in black ink that reads "Denise C. De Costa". The signature is written in a cursive style.

DENISE C. DE COSTA
City Clerk

jt

Enclosures



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

CERTIFICATE

I, DENISE C. DE COSTA, the duly appointed and qualified City Clerk of the City and County of Honolulu, State of Hawaii, do hereby certify that attached hereto are two copies of the adopted Rules and Regulations of the Department of Transportation Services, City and County of Honolulu, relating to parades and activities to become effective on June 10, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City and County of Honolulu, Hawaii, to be affixed this 1st day of June 2006.

A handwritten signature in black ink, reading "Denise C. De Costa", is written over a horizontal line.

DENISE C. DE COSTA
City Clerk
City and County of Honolulu
State of Hawaii



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

June 1, 2006

Mr. Melvin N. Kaku, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

Dear Mr. Kaku:

I am transmitting the original adopted Rules and Regulations filed by your department relating to parades and activities.

Sincerely,

A handwritten signature in black ink that reads "Denise C. De Costa". The signature is written in a cursive style.

DENISE C. DE COSTA
City Clerk

jt

Enclosure

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 523-4529 • Fax: (808) 523-4730 • Internet: www.co.honolulu.hi.us

MUFI HANNEMANN
MAYOR



MELVIN N. KAKU
DIRECTOR

May 31, 2006

MEMORANDUM

TO: DENISE DE COSTA, CITY CLERK
OFFICE OF THE CITY CLERK

FROM: MELVIN N. KAKU, DIRECTOR
DEPARTMENT OF TRANSPORTATION SERVICES

SUBJECT: RULES AND REGULATIONS RELATING TO PARADES
AND ACTIVITIES

MAY 31 2 54 PM '06
RECEIVED
CITY CLERK
OFFICE

In accordance with Chapter 91, Hawaii Revised Statutes, we are transmitting the Rules and Regulations Relating to Parades and Activities for filing with the Office of the Lieutenant Governor.

Please send two copies to the Office of the Lieutenant Governor, retain one for your files, and return the original to the Department of Transportation Services.

If you have any questions, please call Ty Fukumitsu at 523-4589.


MELVIN N. KAKU