

**HAWAII  
ADMINISTRATIVE RULES  
2020 TABLE OF STATUTORY  
SECTIONS IMPLEMENTED  
*and*  
DIRECTORY**

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## FOREWORD

This edition of the Hawaii Administrative Rules Table of Statutory Sections Implemented and Directory of Administrative Rules includes all of the rules of Hawaii state government agencies that have been filed with the Office of the Lieutenant Governor in the Hawaii Administrative Rules format prior to January 1, 2021. All prior versions of the Table are superseded. This publication also contains a partial directory of the State's administrative rules that lists all of the chapters organized under each of the titles of the Hawaii Administrative Rules.

***Caveat:*** This table contains no references to rules that have not been converted to the Hawaii Administrative Rules format or that are exempt from the Hawaii Administrative Procedure Act.

This publication has been prepared by the Bureau's Revision of Statutes Division. We appreciate the assistance of the state departments in preparing this edition. We would especially like to thank the Office of the Lieutenant Governor for their time and cooperation in our review of the rules. If you have any questions concerning this publication, please call the Revision of Statutes Division at (808) 587-0670.

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May 2021

# FACT SHEET

## I. Highlights

This publication shows the most current table of statutory sections that are implemented by the Hawaii Administrative Rules and the updated Directory of Administrative Rules. It replaces all prior versions of the table and directory.

The purpose of the table is to enable users to tell at a glance whether state agencies have adopted rules that purport to implement statutory sections. On any given page of the table, the rule sections in the right hand column (those containing three sets of numbers) are the rules that the adopting agency or agencies claim implement the corresponding statutory sections listed in the left hand column.

The directory sets forth all of the chapters of rules adopted or repealed by each department, much like a table of contents.

An electronic version of this publication can be accessed at the Bureau's website, <https://lrb.hawaii.gov/>, by clicking on "Resources" at the top of the homepage, and then on "Admin Rules Table & Directory."

Electronic versions of the State's administrative agency rules can be accessed through the Legislative Reference Bureau's website, <https://lrb.hawaii.gov/>, by clicking on "Directory" at the top of the homepage, and then on "Admin Rules" to the right of the applicable agency.

For proposed changes to state agency rules, go to <http://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

## II. Frequently Asked Questions

1. *Does this table list **all** state agency rules?*

**Answer:** No.

- (a) This table lists only those rules that conform to the uniform format for state agency rules mandated by section 91-4.2, Hawaii Revised Statutes. A small number of rules may not have fully complied with this requirement. Further, an unknown number of state agency rules that are completely exempt from the requirements of the Hawaii Administrative Procedure Act (chapter 91, HRS) are not included; and

(b) Not all rule sections claim to implement statutory provisions. The implementation notes on a few sections state "(Imp: None)." As these rule sections have no corresponding statutory section to implement, they are not included in this table.

2. *Can it be stated with certainty that the rule sections listed in the table are **all** of the rules that implement the particular statutory section?*

**Answer:** No. The table lists only those rules that the agencies themselves have indicated as implementing each particular statutory provision.

3. *Is the information in this table taken from material located within or near the respective rule sections?*

**Answer:** Yes. Each rule section contains three sets of notes following the end of the text of that section. The third and final set of these notes is shown as "(Imp: )." Any statutory sections listed in those parentheses are the statutory provisions that the adopting agency claims are implemented by the particular rule section. The table in this publication organizes the materials from all of those notes in all these rule sections according to statutory section number.

4. *Does this edition of the Table of Statutory Sections Implemented contain a rules directory?*

**Answer:** Yes, although not as detailed as in the past. The directory now indicates only the chapters included within each title of the Hawaii Administrative Rules.

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## INTRODUCTION

This publication displays in tabular form administrative agency rules that implement specific statutory provisions. Users of this publication will be able to tell at a glance whether any rules implementing a particular statutory section are on file with the Office of the Lieutenant Governor and, if so, which state department adopted them. This publication replaces all of the Tables of Statutory Sections Implemented published prior to this date.

### **I. Background**

Section 91-5, Hawaii Revised Statutes (HRS), required state agencies to publish their rules by June 21, 1981, in the format for administrative rules prescribed by the Revisor of Statutes. The purpose of the legislation that enacted this requirement was to replace the multiplicity of agency rule formats with a single uniform format for all state agency rules. Some rules may not have fully complied with this requirement. Other agency rules are completely exempt from the Hawaii Administrative Procedure Act (chapter 91, HRS). Accordingly, this directory lists only those rules filed with the Lieutenant Governor in the Hawaii Administrative Rules format before January 1, 2021.

### **II. Table of Statutory Sections Implemented**

The table of statutory sections implemented provides a means of finding whether rules exist that implement sections of the state statutes. The table should be used subject to the following cautionary instructions:

- (1) Rule listings are only to rules that have been converted to the Hawaii Administrative Rules format. This does not preclude the existence of other rules interpreting the same section that have not been converted.
- (2) Whether or not a particular rule section is said to implement a particular statutory section is a determination made solely by the administrative agency that adopted the rule.

### **III. Numbering System**

The Hawaii Administrative Rules format prescribed by the Revisor of Statutes is substantially similar to the format used in the Hawaii Revised Statutes. Among other things, the format brings all agency rules adopted pursuant to the Hawaii Administrative Procedure Act into a single numbering system. The numbering system consists of a series of titles, with each title divided into chapters, and each chapter divided into sections. A title includes all of the rules of a particular department, and all other agencies attached to that department for administrative purposes. Each agency rule section consists of three (sometimes four) sets of numbers. The first

number, the title number, indicates the state department that adopted the rule section, as indicated below:

Title	1	Office of the Governor
	2	Office of the Lieutenant Governor
	3	Department of Accounting and General Services
	4	Department of Agriculture
	5	Department of the Attorney General
	6	Department of Budget and Finance
	7	Department of Defense
	8	Department of Education
	9	Office of Hawaiian Affairs
	10	Department of Hawaiian Home Lands
	11	Department of Health
	12	Department of Labor and Industrial Relations
	13	Department of Land and Natural Resources
	14	Department of Human Resources Development
	15	Department of Business, Economic Development, and Tourism
	16	Department of Commerce and Consumer Affairs
	17	Department of Human Services
	18	Department of Taxation
	19	Department of Transportation
	20	University of Hawaii
	21	Legislative Service Agencies
	22	Judiciary
	23	Department of Public Safety

A person viewing a copy of the actual rules will find three informational notes listed at the end of each section. The source note (material in brackets) gives historical information concerning that particular section. Abbreviations include "Eff" (date section originally became effective), "am" (date section was amended), "ren" (renumbered), "comp" (compiled--merging in amendments and other changes to notes without modifying text of section), and "R" (repealed). Citations of authority (material in parentheses beginning with "Auth:") indicate the state statutes, federal statutes, or federal rules that the adopting agency claims authorized the adoption of that particular section. The list of sections implemented (material in parentheses beginning with "Imp:") indicate the state statutes, federal statutes, federal rules, or other laws that the adopting agency claims the particular section is implementing.

#### **IV. Hawaii Administrative Rules Directory**

The purpose of the Hawaii Administrative Rules Directory is to serve as a functional equivalent of a table of contents of all current chapters of state agency rules on file with the Lieutenant Governor that have been adopted in the Hawaii Administrative Rules format.



## V. Citation

Rules may be cited as follows:

- (1) When referring to a particular section:

(Section number), Hawaii Administrative Rules (agency name)

*For example:* Section 16-30-10, Hawaii Administrative Rules (Department of Commerce and Consumer Affairs)

- (2) When referring to a chapter:

Chapter (title and chapter number), Hawaii Administrative Rules (agency name)

*For example:* Chapter 16-30, Hawaii Administrative Rules (Department of Commerce and Consumer Affairs)

## VI. Copies of Rules

The difference between a uniform format for rules and a codification (such as the Code of Federal Regulations) is that only in codifications is there central control over publication. Under the uniform format system adopted by the Legislature, each agency retains almost complete control over its own rulemaking proceedings. While a collection of a number of state agency rules published in the uniform format might take on the *appearance* of a code, no such code exists. Accordingly, copies of agency rules must be obtained from the respective agencies or printed off the Internet. Persons seeking to establish collections of rules are advised to specifically request copies of rules in the "official" format (*i.e.*, on 8-1/2 x 11 inch paper, an exact replica of rules as filed with the Lieutenant Governor). Agencies have been authorized to issue "unofficial" versions of rules, which may differ from copies on file with the Lieutenant Governor in the size of paper used, typesetting, the inclusion of relevant statutes or other materials, or any number of other modifications (although the actual text of the rules should not be modified in any way). All copies of rules distributed in other than the official format should be clearly marked "unofficial."

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Judiciary

## VII. Rulemaking Proceedings

The following persons have been designated by their respective departmental directors as the individuals to whom questions concerning the status of proposed new rules, or proposed amendments to or the repeal of existing rules may be addressed. The mailing addresses of the persons on this list are the same as the distribution coordinators for the same department on the previous list.

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Judiciary

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