

# Special Conditions of Permit Construction & Commercial Vehicles Haleakalā National Park

## I. Administrative

The Special Use Permit (SUP) Permittee shall have a commitment to safety for all visitors and employees of Haleakalā National Park. The Permittee is responsible for informing their employees of hazards likely to be encountered during their project and to provide guidelines, rules and practices that will mitigate and manage risk. Hazards unique to high altitude and Hawaii may include:

- High elevation issues: influences on medical conditions (e.g. known cardiac or respiratory conditions), extreme temperature change (30° - 70° F), or wind conditions 15-80 mph or greater.
- Weather Conditions: localized heavy rain, flash flooding, falling rocks, fog drip, sleet, ice or snow.
- Steep, narrow roadways, limited shoulders, limited sight distance, etc.

Commercial vehicles share the road with a variety of other pedestrian and vehicular traffic including private and commercial tour vehicles, buses, large horse trailers and private cyclists. The employees of the Permittee are expected to exercise courtesy and sound judgment to avoid and mitigate risk.

A. Special Conditions: It is expressly understood that the SUP Permittee and all employees, subcontractors working under the SUP are subject to all special conditions.

B. Guarantee of Entry: It is understood that possession of this Special Use Permit does not guarantee entry into Haleakalā National Park. Entrance into the park may be closed or restricted from time to time in response to natural and/or national security events. *(Natural conditions that cause the park or sections of the park to be closed may occur at any time. Every attempt will be made to notify the Permittee of these closures as soon as reasonably possible.)*

C. Carry Permit: All vehicles utilized by the SUP shall carry a copy of the entire “Special Use Permit” and “Conditions of Permit” for said project.

D. General Liability Insurance: General liability insurance is required for the Permittee, contractor and any subcontractors. The amount required will be based upon the complexity of the project and potential impact to the park.

E. Entrance Fees: Vehicles associated with the SUP shall be waived the entrance fee upon entering in a marked company vehicle or by providing the names of employees entering in personal vehicle(s). Please note, entrance fee is waived only for the purpose of reporting directly to designated work location. Any deviation for recreational purposes is subject to paying established entrance fees.

1. Permittee will provide Haleakalā National Park a listing of contractor, sub-contractor and their associated vehicles and employees entering the park on a daily basis. List may be faxed to 808-572-4407 or emailed.
2. Permittee will provide Haleakalā National Park a weekly listing of anticipated deliveries for the week. List shall be faxed to 808-572-4407.

F. Revocation/Suspension: Special Use Permit is subject to revocation, suspension, and/or non-issuance for violation(s) of any terms and conditions of the permit and/or violation of any Federal law by the Permittee, Permittee employees, contractors and/or sub-contractors.

1. Any employee of Permittee, Contractor or Subcontractor under the influence or in possession of alcohol/controlled substances while operating a vehicle will result in the automatic suspension of the employee from entering the park for a minimum of 30-days. Any second offence of same employee or offence of any other employee will result in a Suspension or Revocation of Special Use Permit.
2. Failure to have commercial liability and/or valid vehicle insurance will result in immediate suspension of the SUP until such time that current documentation is provided.

G. It is the responsibility of the Permittee to ensure that all employees, contractors and sub-contractors passing through the park on a regular basis (weekly at minimum) have read and understood all conditions of permit.

## II. Compliance Requirements

Before issuing a permitting document, the park is required to review the proposed project to ensure every reasonable measure has been taken to avoid or minimize impacts to park resources and values and that necessary compliance documents have been completed under the National Environmental Policy Act (NEPA), National Historical Preservation Act, Endangered Species Act and other laws, as appropriate.

Most SUP that are only for personnel transport and/or small vehicle deliveries will need minimal compliance documentation. Large-scale projects and/or projects with the potential for major impacts will need more extensive compliance documentation.

## III. Vehicles

A commercial vehicle shall include but not limited to trucks, station wagons, pickups, passenger cars or other vehicles when used in transporting movable property for a fee or profit...or used in connection with any business. The Superintendent shall issue permits for commercial vehicles used on park area roads when such use is necessary for access to private lands situated within or adjacent to the park area, to which access is otherwise not available. 36 CFR § 5.6

A. The Permittee will have a system of inspection and maintenance of transportation used under this SUP.

B. Rules of the Road: All vehicles will comply with posted traffic regulations, including speed limits and double-yellow center lane markings. Vehicles operating under SUP shall

take every safe opportunity to use roadside pullouts to allow faster traffic to pass. Failure to comply with traffic regulations will result in citations to the driver.

C. Vehicle Parking: All associated vehicles with SUP are not permitted any long-term or overnight parking along the park road between MM 10.5 and 21.5 and associated overlooks/pullouts. Commercial vehicles associated with SUP will be permitted at designated parking areas secondary to any emergencies and/or road closures due to natural causes.

D. Vehicle Exhaust: All vehicles will be properly maintained to insure that the exhaust produced is not beyond what is allowable by law. Excessive exhaust from vehicles will be immediately corrected. Violation will result in enforcement of State and Federal laws regarding emissions.

E. Commercial Vehicle Inspections: The Permittee and any contractors/subcontractors shall cooperate fully regarding the inspections of commercial vehicles in Haleakalā National Park. Commercial vehicle safety inspections are conducted unannounced for employee and visitor safety. Vehicles are checked for safety and mechanical deficiencies, compliance with current state and federal laws and regulations. Drivers licenses, medical certificates, etc. are checked.

F. DOT Compliance: All commercial vehicles are to be compliant with all DOT requirements including but not limited to: driver with appropriate license class; medical examiner card as appropriate with license class; carrying 3 triangles or 3 flares; mounted fire extinguisher; valid DOT Safety sticker.

G. Oversize or Slow Vehicles: The Permittee is to notify the Park of:

1. Oversize vehicles requiring an escort. An escort is required when the width of the vehicle and/or load extends beyond the center line on a straight-section of the road; vehicle and/or load must cross the center line on most curves and switchbacks within the park; or the vehicle/load requires the full width of the road. Permittee will provide the following:
  - a) Scheduled Date & estimated arrival time to park entrance
  - b) Who is escorting the vehicle(s) (e.g. Police, Contractors, etc.)
2. Slow vehicles that may cause traffic delays or extended traffic lines
  - a) Vehicles must use pullouts to allow traffic to pass
3. Vehicles that are oversize or will cause long traffic lines are requested to enter the park AFTER 2:00 pm or come up during the night. Any night deliveries are to be completed prior to 4:00 am.

#### IV. Road & Weight Restrictions

Vehicle load, weight and size limitations established by State law apply to a vehicle operated on a park road—36 CFR § 4.11. Limits within Haleakalā National Park are as follows:

A. Each bridge has weight limits listed. All vehicles must be at or below weight limits as specified.

## V. Vehicle & Equipment Inspections for Invasive Species

Haleakalā National Park is committed to ensuring the protection of natural and cultural resources found within the park and adjacent park partner lands. Introduction of non-native species can threaten rare and endangered species found in the park or create new populations of non-native species not traditionally found here. Haleakalā National Park requires inspection of most vehicles, equipment, supplies and materials to ensure the non-transport of unwanted species PRIOR to arriving at the park entrance. Permittee is required to inform contractors, subcontracts, and suppliers to thoroughly clean equipment and supplies prior to packing and loading. These inspections are subject to cost-recovery fees at Permittees expense.

### **A. Vehicles – Required Inspections**

1. Off-Island including from Mainland
  - a) All vehicles are required to be inspected.
2. On-Island (Maui)
  - a) All construction vehicles used on road projects such as flatbed trucks, “dump” trucks, low-boys hauling heavy equipment.
  - b) Small trucks that work on construction sites that can have mud, critters in the bed or undercarriage, wheel wells or interior floor/upholstery.
  - c) Passenger cars/SUVs that come from construction sites that can have mud, critters in the undercarriage, wheel wells or interior floor/upholstery.
  - d) Forklifts, loaders, backhoes, etc.

### **B. Equipment – Required Inspections**

1. Off-island including from Mainland
  - a) All equipment is required to be inspected.
2. On-Island (Maui)
  - a) Scissor lifts, generators, etc. coming from construction sites as well as baseyards where they can have mud, critters, etc.
  - b) Weights, scaffolding, drills, tools and other equipment from constructions sites and/or baseyards.

### **C. Containers – Required Inspections**

1. Off-island including Mainland
  - a) All containers are required to be inspected.

(1) From sterile environment when packed with shrink wrap or some other plastic wrapping: need to open container, but not cut wrapping.

(2) Items just packed into container: need to open container and visually inspect items as best possible.

(3) Wooden crates packed into a container: need to open container and inspect outside of crates.

2. On-Island (Maui)

a) Inspections may be required. Ask when scheduling other inspections.

**D. Raw Materials – Required to be Inspected (e.g. sand, cinder, crush rock, etc.)**

1. On-Island (Maui)

a) Ameron

b) Hawaiian Cement

**E. Construction Materials – Required to be Inspected (lumber, cement, etc.)**

1. Off-island including Mainland

a) Need to inspect open or closed containers

2. On-Island (Maui)

a) Need to inspect at source site of materials

**F. Inspection Locations**

1. Trucking company baseyard for vehicles and some containers and items being hauled such as ROJAC, DeCoite, Jacro, Kahului Trucking, Tri-Isle, etc.)

2. Matson shipyard for some containers, DHX, Island Movers etc.

3. Location of large items would be at their sites such as Hawthorne/Catepillar, Maui Paving, Roadway Solutions, Miyake Concrete, Walker Industries etc.

**G. Scheduling Inspections**

1. Inspections need to be schedule a minimum of one-week in advance. Please call 808-283-1264 to schedule an inspection.

2. Unanticipated requests for inspections will be handled on a case-by-case basis and upon availability of staff to schedule an inspection. The park will do its best to provide timely inspections.

**H. Cost Recovery Fees for Invasive Species Inspections**

1. Fees are based on an hourly basis and will include transportation time from park offices to inspection location and return. Rate for 2009 will be \$ 55.00 per hour for a minimum of two hours and by quarter hour intervals after the initial two hours.

**VI. Emergency Medical & Accident Reporting**

A. The Permittee or any contractor sub-contractor working under the SUP is required to report ANY personal injury and/or property damage incident occurring within the park involving any vehicle and any park visitor or employee. This report must be made to a Law Enforcement Ranger at the first available opportunity before leaving the park. Any accidents requiring investigation (e.g. traffic accidents) must be reported immediately via Haleakalā National Park dispatch.

B. Permittee and any contractors working under this SUP shall telephone **Park Dispatch** if a Park Ranger is needed for a traffic accident or medical emergency occurring within the park boundary.

1. Non-Emergency number 1-808-985-6170
2. Emergency number 1-877-428-6911

C. Medical Emergencies or Accidents occurring outside the park should contact:

1. 911 as needed.
2. If any emergency vehicles (e.g. Ambulance) will be responding, please give a courtesy call to **Park Dispatch** so that the entrance station will be prepared for the arrival of any emergency vehicle.
3. Any serious medical emergencies should be accurately depicted to the 911 dispatcher as they will then contact Park Dispatch for any available EMT in the park to respond to provide care and treatment until such time the ambulance arrives.

D. It is recommended that a map of the summit area including roads and major buildings indicating location of the construction site should be provided to Maui County Dispatch, American Medical Response (ambulance) and Haleakalā National Park for any long-term project.

**CONDITIONS SPECIFIC TO PERMIT \_\_\_\_\_**

PERMITTEE

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Signature

\_\_\_\_\_

Date

CONTRACTOR

\_\_\_\_\_

Signature

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Date

SUBCONTRACTOR

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Signature

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Date