



**Testimony by:**  
JADE T. BUTAY  
INTERIM DIRECTOR

Deputy Directors  
ROY CATALANI  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 9, 2018  
10:00 a.m.  
State Capitol, Room 423

**H.B. 2217**  
**RELATING TO TRAFFIC CONTROL**

House Committee on Transportation

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The Department of Transportation (DOT) **opposes** H.B. 2217 to permit a vehicle to proceed through an intersection against a red light after two signal timing cycles. Although there may be circumstances where vehicle operators would need to violate a red light, in most situations the vehicle operator can legally reroute around the red light such as moving out of the left turn storage lane or making a right turn on red. The DOT has the following concerns on allowing this under any condition:

1. Traffic signals may be locked in red light to prevent unsafe movements during contraflow operations and/or when no left turns are allowed.
2. Defective or malfunctioning traffic signals are usually related to the service life of our infrastructure. DOT's top priorities of safety and system preservation will reduce these types of occurrences, and
3. Advances in vehicle detection technologies reduces non-detection of small, lightweight or micro vehicles. The DOT is already using video detection and infrared sensors to eliminate this situation.

Thank you for the opportunity to provide testimony.



## Street Bikers United Hawaii (SBU) Submissions

February 7, 2018

### Bill HB No. 2217 (“RELATING TO MOTORCYCLES”)

Presenter: Bruce Paige, SBU State Director

Residence: Pearl City

Email: bpaigeco@gmail.com

Introducer(s): AQUINO

Measure Title: RELATING TO TRAFFIC CONTROL

Report Title: Traffic-Control Devices; Malfunctions; Authority to Proceed

Description: Permits the driver of a vehicle to safely proceed through an intersection in which a defective or malfunctioning traffic-control device fails to detect the vehicle and stays in the red signal stage through 2 cycles of the traffic-control device.

### [SBU Recommends Its Members Support Bill HB No. 2217](#)

SBU recommends its membership support the Bill HB2217, which creates a clear reliable protocol for all vehicle operators faced with a malfunctioning traffic device creating a “steady red-light signal” instead of cycling through three stages of signal colors: green, yellow, and red. Regardless of what the cause of the “steady red-light signal”, where it persists through two complete cycles of traffic in the intersection, the vehicle operator faced the steady red-light signal may, proceed into the intersection once it is safe to do so, after giving all other traffic at the intersection the right-of-way.

### [SBU Points of Support for Bill HB2589:](#)

**SBU takes the position that the proposed Bill HB2217 should be strongly supported by its members as a safety measure for all vehicle occupants, including Motorcyclists ( which is intended to include Motor Scooters) . SBU submits this measure achieves the following benefits at no identifiable cost to law enforcement of traffic management priorities:**

- 1. Creates a clearly identifiable protocol for vehicle operators faced with a “*steady red-light signal*” at an intersection for two complete cycles of traffic.**
- 2. The reason it must be two complete cycles of traffic is because it must be clear to the party faced with the *steady red-light signal* that the traffic control device is both malfunctioning and will not self-correct itself after one cycle of traffic. The reason the party faced with the *steady red-light signal* must allow all other vehicles in the intersection to have the right-of-way, and not proceed into the intersection after the second cycle until safe-to-do-so, is that the other vehicles in the intersection must be assumed to have properly functioning traffic signals and therefore, must be given the right-of-way.**
- 3. Where the entire traffic control device is malfunctioning in all directions, then there will be no cycles of traffic. Instead the vehicles at the intersection would default to a “4-way-stop” protocol,**

which is well known to the motoring public. The “*two-traffic cycle waiting time before proceeding through a steady red-light signal when safe to-do-so*” protocol under HB2217 for a *steady red-light signal* addresses a specific type of traffic device malfunction, is not applicable to situations where the entire traffic control device malfunctions in all directions and where the “*4-way-stop*” protocol is presently employed universally in Hawaii. These are separate independent traffic protocols for separate independent forms of traffic control device malfunctions.

4. SBU submits Bill HB2217 offers a safety benefit by ensuring that vehicle operators do not proceed through a *steady red-light signal* into an intersection until they have waited for two complete traffic cycles, which ensures a greater likelihood that all vehicles in the intersection are aware that a *steady red-light signal* situation exists and is faced by a vehicle operator, while at the same time requiring the vehicle operator facing a *steady red-light signal* to exercise “extreme care” by not only waiting for two complete traffic cycles, and only then proceeding when safe-to-do-so, but also to give all other traffic in the intersection the right-of-way before proceeding.
5. SBU states that in addition to the fact Bill HB2217 increases safety in *steady red-light signal* intersection situations for the reasons described above, it also ensures judicial fairness can be employed in favor of a vehicle operator faced with a *steady red-light signal* situation, where that vehicle operator follows the protocol set out by Bill HB2217. Without the language in Bill HB2217, regardless of what the vehicle operator facing a *steady red-light signal* does they will always be liable for a traffic offence if they enter that intersection while facing a *steady red-light signal*. That is wrong, unfair, and unjust. However, as a strict liability offence, neither the police officer, nor the court, can grant the vehicle operator relief in the absence of the language in Bill HB2217, and some reasonable evidence the vehicle operator complied with that language.
6. SBU submits that Bill HB2217 should be supported by its members both as a legislative measure increasing safety and fairness to all motorists in Hawaii.

All of which is respectfully submitted:

On Behalf of Street Bikers United Hawaii (SBU)

*Bruce Paige*

Bruce Paige  
SBU State Director

**HB-2217**

Submitted on: 2/7/2018 8:54:49 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b>  | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|----------------------|---------------------------|---------------------------|
| Ray Pagan           | Street Bikers United | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 7:19:29 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kalina Roman        | Sun Riders LLC      | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 3:28:02 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Gary Keaweaike      | Sbu                 | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 10:50:30 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b>        | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|----------------------------|---------------------------|---------------------------|
| Allan Raikes        | Condominium Rentals Hawaii | Support                   | No                        |

Comments:

I frequently find this an issue while riding motorcycles. Your vote in support of this Bill is appreciated so that I no longer need to worry about being ticketed when I safely cross intersections with "dead red lights"

Mahalo

**HB-2217**

Submitted on: 2/8/2018 3:47:15 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b>    | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|------------------------|---------------------------|---------------------------|
| Reed Kano           | SBUHI and Honolulu HOG | Support                   | No                        |

Comments:



**HB-2217**

Submitted on: 2/7/2018 10:09:03 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b>    | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|------------------------|---------------------------|---------------------------|
| Victor K. Ramos     | Maui Police Department | Oppose                    | No                        |

Comments:

How will you verify the mentioned cycle for enforcement purposes?

**HB-2217**

Submitted on: 2/8/2018 3:57:00 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| John Brughelli      |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 6:04:41 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Donald B Porter     |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 6:20:48 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lester Sasaki       |                     | Support                   | No                        |

Comments:

Common sense dictates this bill should be passed.

**HB-2217**

Submitted on: 2/8/2018 6:36:03 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey Guerpo      |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 7:43:15 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Larry               |                     | Support                   | No                        |

Comments:

**I support this bill both as a legislative measure increasing safety and fairness to all motorists in Hawaii.**

**HB-2217**

Submitted on: 2/8/2018 8:18:59 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeff Potter         |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 9:44:01 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| James R Sowa        |                     | Support                   | No                        |

Comments:



**HB-2217**

Submitted on: 2/8/2018 10:14:03 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Francis Steele      |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 10:17:01 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| JOHNNY FRANKLIN     |                     | Support                   | No                        |

Comments:

I SUPPORT YHIS BILL

**HB-2217**

Submitted on: 2/8/2018 10:27:29 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Preston Davidson    |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 11:01:23 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kai Chu             |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 12:24:30 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Gordon Goo          |                     | Support                   | No                        |

Comments:

There has been many a times I've been at an intersection alone waiting for the traffic signal to change from red to green with no other traffic near by. I would have to wait for a vehicle to approach in back of me for the light to change whether if I'm to proceed across and intersection or making a left turn in a left turn lane only intersection. This bill will relieve the waiting and proceed cautiously within intersection.

**HB-2217**

Submitted on: 2/8/2018 1:46:58 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b>   | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|-----------------------|---------------------|---------------------------|---------------------------|
| Kelvin N Asahina, DDS |                     | Support                   | No                        |

Comments:

I strongly support this bill as there are many intersections on my way to work that do not register my motorcycle and as it is often early in the morning, there is little traffic in the area and no cars pull up behind me to trip the sensors and change the left turn lights. As it is also illegal to "shortcut" through the gas station on the corner in the same area, we need to be able to proceed when the way is safe. Thank you for your time and attention to this matter.

**HB-2217**

Submitted on: 2/8/2018 1:53:13 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Marie Bashaw        |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 3:12:51 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Terrill Watkins     |                     | Support                   | No                        |

Comments:

**SBU submits that Bill HB2217 should be supported by its members both as a legislative measure increasing safety and fairness to all motorists in Hawaii.**



**HB-2217**

Submitted on: 2/8/2018 3:24:37 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| donald hudson       |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 3:29:50 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| roy whitney         |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 3:52:44 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Michael Jeffery     |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 4:08:03 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| jon                 | SBU HAWAII          | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 4:28:05 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jesse Marquez       |                     | Support                   | No                        |

Comments:

Please pass this in support of the motorcycle commuting community.

**HB-2217**

Submitted on: 2/8/2018 4:48:08 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| edison              |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 4:52:58 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

**LATE**

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Michael Keith       |                     | Support                   | No                        |

Comments:

I believe any piece of legislation that provides safety for motorcycle or two/three wheeled vehicles is a great thing as we are often overlooked due to the size of our vehicles.

**LATE**

**HB-2217**

Submitted on: 2/8/2018 6:31:44 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Justin Stanko       |                     | Support                   | No                        |

Comments:



**HB-2217**

Submitted on: 2/8/2018 7:10:16 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

**LATE**

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| mario               |                     | Support                   | No                        |

Comments:

**LATE**

**HB-2217**

Submitted on: 2/8/2018 7:37:18 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Norman Batino Jr    |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/8/2018 9:25:36 PM

Testimony for TRN on 2/9/2018 10:00:00 AM

**LATE**

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| michael frolik      |                     | Support                   | No                        |

Comments:

**HB-2217**

Submitted on: 2/9/2018 12:21:51 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

**LATE**

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Michaela            |                     | Support                   | No                        |

Comments: