

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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DEPUTY CHIEFS

OUR REFERENCE RN-GR

March 1, 2018

The Honorable Scott Y. Nishimoto, Chair
and Members
Committee on Judiciary
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Nishimoto and Members:

SUBJECT: House Bill No. 2589, H.D. 1, Relating to Motorcycles

I am Ryan Nishibun, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes the passage of House Bill No. 2589, H.D. 1, Relating to Motorcycles.

This bill would allow motorcycles to use designated shoulder lanes when traffic is stopped for a certain period of time or when there is congestion at a marked or unmarked intersection as a result of a traffic control device. In circumstances where traffic is stopped or slow moving due to congestion, vehicles will tend to overheat or breakdown requiring the use of shoulder lanes. Drivers unaware of motorcycles operating in a shoulder lane or inexperienced motorcycle operators not paying attention to traffic will increase the risk for motor vehicle collisions and injuries.


The HPD urges you to oppose House Bill No. 2589, H.D. 1, in its current form.

Thank you for the opportunity to testify.

APPROVED:


Susan Ballard
Chief of Police

Sincerely,


Ryan Nishibun, Major
Traffic Division



Street Bikers United Hawaii (SBU) Submissions

February 29, 2018

Bill HB No. 2589 HD1 (“RELATING TO MOTORCYCLES”)

Presenter: Bruce Paige, SBU State Director

Residence: Pearl City

Email: bpaigeco@gmail.com

Introducer(s): AQUINO

Measure Title: RELATING TO MOTORCYCLES

Report Title: Transportation; Motorcycles; Shoulder Lane

Description: Authorizes the Department of Transportation to designate shoulders upon which the department may authorize the driving of motorcycles when traffic is stopped for an extended period at an intersection or due to traffic congestion.

SBU Recommends Its Members Support Bill HB No. 2589

SBU recommends its membership support the Bill HB2589. In particular, “Shoulder Use” as described in Bill HB2589 effectively achieves the following benefits at no expense or “external cost” to the Hawai`i motoring public at large:

- (1) A “*Motorcycle Shoulder Use Law*” reduces the risk death, injury and damages sustained by Motorcycle operators and passengers (here “Motorcycle” is intended here to include Motor Scooter) caused by rear end accidents involving automobiles and other motor vehicles. The Motorcycle Safety Foundation stated in a report of the US Government Department of Transportation, National Highway Traffic Safety Administration that:

Under the National Highway Traffic Safety Administration’s (“NHTSA”) National Center for Statistics and Analysis 2005 Report, studying causes of “Fatal Two-vehicle Motorcycle Crashes” of the 1,792 Motorcycle and passenger vehicle collisions reported eleven percent (11%) involved rear-end collisions involving Motorcycles either rear-ending the automobile 139 times (68%) or the automobile rear-ended Motorcycles 59 times (29%).¹

- (2) Freeway and Highway Shoulder Use by Motorcycles will allow Motorcycles to move through stalled and stopped traffic, especially during gridlock on Hawai`i freeways and highways, thereby eliminating overheating problems associated with air-cooled Motorcycles, which, unlike motor vehicles, have no radiators and, therefore, rely on movement to maintain cooling. On freeways, stalled and overheated Motorcycles constitute an additional safety risk to their operators, passengers, and other motorists and emergency vehicles. A *Motorcycle Shoulder Use Law* eliminates the cause of overheating by allowing Motorcycles to move through stopped and gridlocked traffic, thereby eliminating the risk of serious personal injury and property damage. A stalled Motorcycle left on a shoulder is a hazard to emergency vehicles (i.e. Police, Firetrucks and Ambulances), so the solution is to prevent stalled Motorcycles in the first place, which the *Motorcycle Shoulder Use Law* will achieve.

¹ DOT HS 810834 SEPTEMBER 2007, USDOT, NHTSA, www.nhtsa.gov “Fatal Two-vehicle Motorcycle Crashes”

- (3) A *Motorcycle Shoulder Use Law* allows motorcycles and motor scooters to move through stopped traffic, which allows further alleviation of the traffic congestion and is a positive sum gain in relieving traffic congestion for all other motorists.

SBU Points of Concern with Present Form of Bill HB2589:

SBU notes that Bill HB2589 provides “The driver shall not maneuver the motorcycle onto a designated shoulder until vehicular traffic on the roadway has been stopped for no less than minutes,...” that traffic must be stopped before the Motorcyclists may revert to shoulder use.

SBU submits: when vehicles are stopped in front of a Motorcyclist causing the motorcycle to stop in “traffic gridlock” the danger of a rear-end accident is immediate and is continuing with each second the motorcyclist is forced to sit waiting to be rear-ended. Therefore, it is critical for the Motorcyclist to move to the shoulder immediately “out-of-harms-way” and not sit in traffic for seconds let alone minutes waiting to be rear-ended. Once the traffic begins moving the Motorcyclists is legally obligated to move back into the “flow-of-traffic” as soon as it is safe to do so, which ensures that the shoulder is not intended to simply be used as a “passing lane for motorcycles”. When traffic is moving a motorcycle should not be using the shoulder lane, except if it is in the process of immediately returning into the “flow-of-traffic” after a traffic stoppage. SBU submits there can be no “safe waiting-time” before the Motorcyclists should rely on “Shoulder Use” to avoid being caught in stopped traffic. That is, as soon as traffic is stopped, and when there is no traffic control person or traffic control device present requiring the traffic stoppage, the Motorcyclist should safely pull onto the paved shoulder in any location where signage permits and proceed at a speed no greater than 10 MPH until traffic begins to move, whereupon the motorcyclists should immediately return into the “flow-of-traffic” when safe to do so.

SBU Points of Support for Bill HB2589 HD1:

SBU takes the position that the proposed Bill HB2589 HD1 should be strongly supported by its members as a safety measure for Motorcyclists in the form submitted. Bill HB2589 HD1 accomplishes three clear benefits at no costs, traffic delays, or increased risks to safety or inconvenience to other motorist, these include:

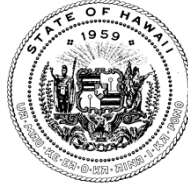
1. Reduced risk of injury or death to Motorcyclists by an approximately 11% reduction in rear-end accidents involving Motorcycles (according to statistics);
2. Reduced incidents of stalled and over-heated Motorcycles and thereby reducing the associated costs, inconvenience and risks of injury sustained by Motorists stranded on the highways and freeways by overheated Motorcycles. Also by ensuring emergency vehicles’ rights-of-way are not inhibited by stalled and overheated Motorcycles left on the shoulders, by eliminating the risk of stalled Motorcycles in the first place.
3. Alleviation of traffic congestion as Motorcycles flow through stopped traffic using “signage designated” Freeway and Highway Shoulders.

All of which is respectfully submitted:

On Behalf of Street Bikers United Hawaii (SBU)

Bruce Paige

Bruce Paige
SBU State Director



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

March 1, 2018
2:00 p.m.
State Capitol, Room 329

H.B. 2589, H.D. 1
RELATING TO MOTORCYCLES

House Committee on Judiciary

The Department of Transportation (DOT) **supports** H.B. 2589, H.D.1 relating to motorcycles. This bill allows the DOT to designate shoulders upon which the department may authorize the driving of motorcycles under certain conditions.

The DOT recognizes there are the following concerns:

- Reduces safety for all roadway users. The shoulder is utilized to accommodate stopped vehicles, emergencies, and on arterial roadways, bicyclists and pedestrians.
- On arterial roadways, pedestrians crossing at an unsignalized intersection could be more challenging as motorcycles or motor scooters traveling on the shoulder and/or moving back into the normal travel lane can take away gaps in traffic used by crossing pedestrians or take away shoulder space for pedestrians to safely walk or wait on.
- Increases potential for road rage. Providing preferential treatment for motorcycles or motor scooters has the potential to anger motorists who are waiting patiently in traffic.
- No impact on alleviating congestion. Motorcycles and motor scooters occupy less than half the length of the average motor vehicle.

The DOT will consider the above listed concerns when determining what areas would be safe to designate shoulders that would allow motorcycles to use under certain conditions.

Thank you for the opportunity to provide testimony.

LATE

HB-2589-HD-1

Submitted on: 2/28/2018 7:43:36 PM

Testimony for JUD on 3/1/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Yukutake	Individual	Support	No

Comments:

I support HB2589 to relieve traffic congestion.

I am a motorcycle rider and commute to work and dealt with many traffic jams where traffic is at a standstill. I support this bill as it would help to relieve some traffic congestion while allowing motorcyclists to get to our destination quicker. Motorcyclists are able to ride in the shoulder lanes and can do so safely.

Todd Yukutake

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