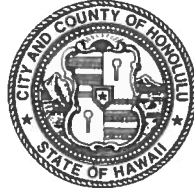


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
JONATHON GREMS
DEPUTY CHIEFS

OUR REFERENCE RN-GR

February 9, 2018

The Honorable Henry J. C. Aquino, Chair
and Members
Committee on Transportation
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 423
Honolulu, Hawaii 96813

Dear Chair Aquino and Members:

SUBJECT: House Bill No. 2589, 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, Relating to Motorcycles.

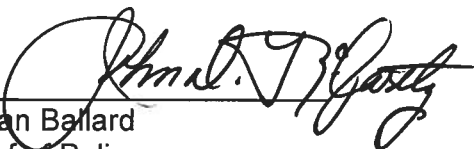
This bill would allow motorcycles to use designated shoulder lanes when traffic is stopped for a certain period of time or when there is congestion at a marked or unmarked intersection as a result of a traffic control device. In circumstances where traffic is stopped or slow moving due to congestion, 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 in its current form.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Susan Ballard
Chief of Police


for Ryan Nishibun, Major
Traffic Division



Street Bikers United Hawaii (SBU) Submissions

February 7, 2018

Bill HB No. 2589 (“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:

SBU takes the position that the proposed Bill HB2589 should be strongly supported by its members as a safety measure for Motorcyclists in the form submitted, subject to the elimination of any “wait-time”. Once traffic is stopped on the freeway or highway, whenever there is no traffic control person or device present requiring the traffic stoppage, the Shoulder Use provisions of Bill HB2589 should be employed by the Motorcyclists immediately. With the forgoing amendment to “Wait-times”, Bill HB2589 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

HB-2589

Submitted on: 2/7/2018 8:55:21 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Pagan	Street Bikers United	Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 7:20:08 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kalina Roman	Sun Riders LLC	Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 3:29:05 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Keaweai	Sbu	Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 10:54:10 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Raikes	Condominium Rentals Hawaii	Support	No

Comments:

I am requesting that you again support this Bill which you had passed during the last legislative session. Unfortunately the Governor decided he knows better than everyone else and vetoed this bill.

Please let him know he made a mistake last year and hopefully he will actually listen to what the law makers and riders/voters or this State say this year.

Mahalo

HB-2589

Submitted on: 2/8/2018 3:47:46 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Reed Kano	SBUHI and Honolulu HOG	Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 4:09:00 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
jon	SBU HAWAII	Support	No

Comments:

HB-2589

Submitted on: 2/7/2018 10:07:52 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Maui Police Department	Comments	No

Comments:

How will your determine the amoutn of "minutes" before allowing motorcycles to enter the designated lane. In addition, any violation of this possible law would be extremely difficult.

HB-2589

Submitted on: 2/8/2018 3:58:00 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
John Brughelli		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 6:05:07 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Donald B Porter		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 6:22:38 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Lester Sasaki		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 6:35:37 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Guerpo		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 7:44:36 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Larry		Support	No

Comments:

I support this because it: (a) will reduce Motorcycle fatalities and serious injuries by as much as eleven (11)% percent in Hawaii caused by rear-end collisions between Motorcycles and other vehicles; (b) it will reduce the risk of fatalities, serious injuries and property damage cause by overheated and stalled Motorcycles on freeways and highways due to stranded Motorcycle Riders being “in harms way”; (c) it will alleviate traffic congestion to some degree. All of which will be achieved with out costs or risks to other motorists using the freeways and highways where “Motorcycle Shoulder Use” is permitted.

HB-2589

Submitted on: 2/8/2018 8:19:18 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Potter		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 8:53:50 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Myles Nakasone		Support	No

Comments:

I own & currently ride a american made motorcycle and have been for over 20 years. I often use my motorcycle to commute. While this circumstance doesn't come up very often when the situation arises it would be nice to know that I would be able to legally ride on the shoulder as to not create more traffic & a road hazard with my bike over heating and me having to park on the shoulder for 45min to an hour to allow my bike to cool.

HB-2589

Submitted on: 2/8/2018 9:43:41 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
James R Sowa		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 9:49:38 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Wong		Support	No

Comments:

I am in total support of HB2589 for the following reasons. I have been riding a motorcycle since 1973 to present. Since then, I've had two accidents in which I was rear ended from a result of being stuck in stop and go traffic. I really dread when I see rush hour traffic on the freeway. My last incident happened on Moanalua on the H1. You have to put total faith in the motorist behind you that he or she is not frustrated because of being stuck in traffic. I was struck from the back and momentum slammed me in the truck in front of me. So this bill would put us riders in a lane out of the car lane making it a lot safer for us riders.

Another thing the bill covers is that our motorcycles are air cooled and there is the fear that our engines could overheat if we don't have enough air flow over the cooling fins. Having the option of using the shoulder lane would prevent us from being stalled on the freeway and creating a traffic hazard.

Your support would be greatly appreciated.

HB-2589

Submitted on: 2/8/2018 10:15:17 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Francis Steele		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 10:18:52 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
JOHNNY FRANKLIN		Support	No

Comments:

I SUPPORT THIE BILL

HB-2589

Submitted on: 2/8/2018 10:27:50 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Preston Davidson		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 11:02:14 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kai Chu		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 12:27:02 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon Goo		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 1:52:15 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kelvin N Asahina, DDS		Support	No

Comments:

We had a much broader bill (lane filtering) passed by the house and senate last year only to be vetoed by the Governor who obviously has little clue what his left hand is doing. Please consider this bill as an even safer alternative for motorcyclist such as myself to get out of gridlocked traffic with my air cooled engine (my motorcycle must be moving to allow air flow over the engine to keep it cool and running). Thank you for your time and attention to this matter.

HB-2589

Submitted on: 2/8/2018 1:55:09 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Marie Bashaw		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 3:14:47 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Terrill Watkins		Support	No

Comments:

SBU submits that Bill HB2589 should be supported by its members because it: (a) will reduce Motorcycle fatalities and serious injuries by as much as eleven (11)% percent in Hawaii caused by rear-end collisions between Motorcycles and other vehicles; (b) it will reduce the risk of fatalities, serious injuries and property damage cause by overheated and stalled Motorcycles on freeways and highways due to stranded Motorcycle Riders being “in harms way”; (c) it will alleviate traffic congestion to some degree. All of which will be achieved with out costs or risks to other motorists using the freeways and highways where “Motorcycle Shoulder Use” is permitted.

HB-2589

Submitted on: 2/8/2018 3:22:10 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
donald hudson		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 3:44:55 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
roy whitney		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 3:53:31 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Jeffery		Support	No

Comments:

HB-2589

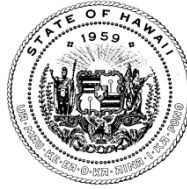
Submitted on: 2/8/2018 4:29:10 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Marquez		Support	No

Comments:

Please pass this in support of the motorcycle commuting community.



Testimony by:
JADE T. BUTAY
INTERIM DIRECTOR

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

IN REPLY REFER TO:

LATE

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. 2589
RELATING TO MOTORCYCLES

House Committee on Transportation

The Department of Transportation (DOT) **supports** H.B. 2589 relating to motorcycles. This bill allows the DOT 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.

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 when traffic is stopped for an extended period at an intersection or due to traffic congestion.

Thank you for the opportunity to provide testimony.

LATE

HB-2589

Submitted on: 2/8/2018 4:48:47 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
edison		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 4:53:33 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
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.

HB-2589

Submitted on: 2/8/2018 6:32:19 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Stanko		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 7:09:01 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
mario		Support	No

Comments:

LATE

HB-2589

Submitted on: 2/8/2018 7:38:14 PM
Testimony for TRN on 2/9/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Norman Batino Jr		Support	No

Comments:

HB-2589

Submitted on: 2/8/2018 7:47:46 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Smart		Oppose	No

Comments:

Chairman Aquino, Vice-Chairman Quinlan :

I am testifying to OPPOSE HB 2589. I have been riding a bicycle in Hawaii for about 30 years. In many areas, a good, paved rideable shoulder is available on roads outside of the major urban areas. HRS 291C allows, but does not require, bicycles to use the shoulder. In most cases the shoulder provides a safer riding experience, due to separation from motor traffic.

While riding within the shoulder, I have at times been passed (over-taken) by mopeds operating within the shoulder. Since this is very uncommon it is unexpected and startles the rider. If motorcycles are allowed to use the shoulders, this will add an additional source of danger for cyclists. The mandated speed limit for motor cycles proposed in this bill doesn't offer any particular safety benefit.

If your committee amends this bill to allow shoulder-riding by motorcycles ONLY on limited access highways where bicycles and pedestrians are prohibited, that would eliminate this danger.

HB-2589

Submitted on: 2/9/2018 12:22:26 AM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michaela		Support	No

Comments: