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March 16, 2021
3:00 P.M.
State Capitol, Teleconference

H.B. 766, H.D. 1
RELATING TO THE DEPARTMENT OF TRANSPORTATION

SENATE COMMITTEE ON TRANSPORTATION

The Department of Transportation (DOT) **supports the intent** of protecting the public health, safety, and welfare of anyone using and/or living adjacent to substandard roadways. We welcome the opportunity to work with the legislature to ensure that the existing connection to our state highway systems are properly planned, designed, constructed, operated, and maintained and to potentially recoup any cost that DOT may incur having to address private property owner's responsibilities.

The DOT offers the following comments: Impact fees are a specific method of financing used to address regional traffic impacts based on regional traffic studies that justify "fair share" costs and demonstrate the rational nexus between the fees being assessed and the traffic impacts caused by those being assessed. Impact fees also require passage of law establishing impact fee structure and identify fees to be collected with land use and/or permits approvals.

We are currently seeking advice from the Attorney General's Office, and they are researching existing case law and alternative financial mechanisms to assess and collect reimbursement costs.

Thank you for the opportunity to provide testimony.

HB-766-HD-1

Submitted on: 3/15/2021 1:29:47 PM

Testimony for TRS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ruston Utu	Individual	Support	No

Comments:

I am in support of this bill and have experienced it myself driving through the state high ways that connect to privately owned roads. If this measure gets passed it will allow DOT to assess the impact fees of unsafe roadways.