

STAND. COM. REP. NO. **1333**

Honolulu, Hawaii

**MAR 23 2007**

RE: H.B. No. 349  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committees on Intergovernmental and Military Affairs and Transportation and International Affairs and Economic Development and Taxation, to which was referred H.B. No. 349, entitled:

"A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF  
COMMERCIAL BICYCLE TOURS,"

beg leave to report as follows:

The purpose of this measure is to authorize the counties to regulate both guided and unguided bicycle tour businesses on state and county highways.

Your Committees received testimony in support of this measure from the Department of Transportation, the Mayor of the County of Maui, and the Kula Community Association's Sub-Committee on Commercial Bicycle Tours. Testimony in opposition to this measure was submitted by the Small Business Regulatory Review Board and Cruiser Phil's Volcano Riders.

Your Committees find that there have been many safety concerns expressed by the public regarding commercial bicycle tours. In certain areas of the State, the current volume of commercial bicycle tour operations, both guided and unguided, pose significant safety concerns for vehicles and bicycle traffic alike. The popularity of these tours has grown substantially over the years, as has the population in certain residential areas. This growth of sometimes competing interests has led to alleged incidents of volatile confrontations between commercial bicycle



tour operators and residents, thereby exacerbating the safety issues raised by the public.

Your Committees further find that this measure addresses these concerns by permitting the council of any county in the State to adopt and provide for the enforcement of ordinances that will improve roadway safety where commercial bicycle tours are conducted. This measure is of particular significance in areas currently without laws or rules governing commercial bicycle tour operations on state and county highways.

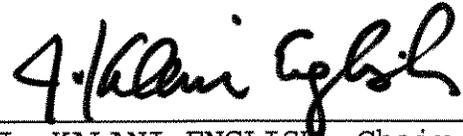
Your Committees amended this measure by changing the effective date in order to foster further discussion and by requiring that bicycle tours beginning from federal or state parks and into state highways follow federal regulations in order to provide consistency in the regulations governing both guided and unguided bicycle tour businesses.

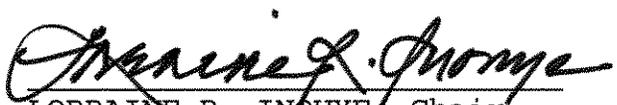
It is the intent of your Committees to provide the counties with the authority to regulate both guided and unguided bicycle tour businesses on State and county highways in accordance with Federal guidelines in order to improve safety conditions for both bicyclists and motorists in the State.

As affirmed by the records of votes of the members of your Committees on Intergovernmental and Military Affairs and Transportation and International Affairs and Economic Development and Taxation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 349, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 349, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committees on Intergovernmental  
and Military Affairs and  
Transportation and  
International Affairs and  
Economic Development and  
Taxation,

  
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J. KALANI ENGLISH, Chair

  
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LORRAINE R. INOUE, Chair

  
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CAROL FUKUNAGA, Chair





