

NEIL ABERCROMBIE
GOVERNOR



GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T BUTAY
FORD N. FUCHIGAMI
RANDY GRUNE
JADINE URASAKI

IN REPLY REFER TO:

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

February 1, 2012

HB 2760
RELATING TO TRAFFIC SAFETY

HOUSE COMMITTEE ON TRANSPORTATION

The Department of Transportation supports HB 2760 provided it is modified to disallow mopeds on any bike path. Mopeds can travel at speeds up to 35 miles per hour. Thus, allowing the mix of mopeds in with pedestrians and bicyclists on bicycle paths will only increase the potential for events to occur that result in significant injury to pedestrians, bicyclists, and the moped operators.

Therefore, we believe that prohibiting mopeds from bicycle paths at all times will create a safer environment for the pedestrians and bicyclists using such paths.

Thank you for the opportunity to provide testimony.



DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

PETER B. CARLISLE
MAYOR



WAYNE Y. YOSHIOKA
DIRECTOR

KAI NANI KRAUT, P.E.
DEPUTY DIRECTOR

January 31, 2011

The Honorable Joseph Souki, Chair
and Members of the Committee on Transportation
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

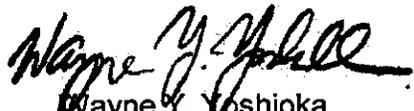
Subject: House Bill No. 2760, Relating to Traffic Safety

The City and County of Honolulu Department of Transportation Services (DTS) supports the intent of House Bill No. 2760 but notes that Hawaii Revised Statute (HRS) 291C-197 (a) already requires mopeds to use bike lanes when present and HRS 291C-197 (b) gives the counties the option to prohibit mopeds on bike paths by ordinance. DTS also notes that Revised Ordinances of Honolulu Section 15-18.10 prohibits mopeds from riding on bicycle paths.

It appears House Bill No. 2760 attempts to clarify the provisions limiting use of bike paths by mopeds, and as long as these clarifications do not impede the ability of the counties to invoke more restrictive prohibitions on the riding of mopeds on bike paths, DTS supports the bill.

Thank you for the opportunity to testify.

Very truly yours,


Wayne Y. Yoshioka
Director

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White

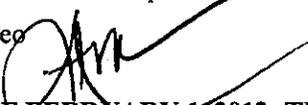


Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

January 30, 2012

TO: The Honorable Joseph Souki, Chair
House Committee on Transportation

FROM: Danny A. Mateo
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 1, 2012; TESTIMONY OFFERING COMMENTS ON
HB 2760, RELATING TO TRAFFIC SAFETY**

Thank you for the opportunity to testify and offer comments on this important measure. The purpose of this measure is to restrict the use of motorized vehicles upon a bicycle path.

Legislation with a similar purpose is included in the Maui County's Legislative Package; however, the Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support the purpose of this measure, but continue to prefer HB 1759, which is part of the Maui County Legislative Package. I submitted testimony on behalf of the Council in support of HB 1759 when it was first heard by your Committee on January 25, 2012. I understand that you will be discussing both of these nearly identical bills at your hearing of February 1, 2012.

Thank you for the opportunity to submit these comments on this measure.

ocs:proj:legis:12legis:12testimony: hb2760_paf12-020a_sej

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/council

January 31, 2012

TO: Honorable Joseph M. Souki, Chair
House Committee on Transportation

FROM: Joseph Pontanilla, Council Vice- Chair *Joseph Pontanilla*

DATE: Wednesday February 1, 2012

SUBJECT: **TESTIMONY OFFERING COMMENTS ON HB 2760, RELATING TO
TRAFFIC SAFETY**

Thank you for the opportunity to provide comments on this measure. I provide this testimony as an individual member of the Maui County Council.

While I share support for the purpose of this measure, I prefer HB 1759, which is part of the Maui County Legislative Package and for which I have provided earlier supportive testimony.

12:01:31:kbn/JP: HB 2760

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

January 31, 2012

The Honorable Joseph M. Souki, Chair
House Committee on Transportation
State Capitol, Room 433
Honolulu, Hawaii 96813

Dear Chair Souki:

**SUBJECT: HEARING OF FEBRUARY 1, 2012; TESTIMONY OFFERING
COMMENTS ON HB 2760 RELATING TO TRAFFIC SAFETY**

As the Lanai representative on the Maui County Council, I would like to offer comments on the subject bill. The purpose of this measure is to restrict the use of motorized vehicles on bicycle paths.

Legislation with a similar purpose is included in Maui County's Legislative Package; however, the Maui County Council has not had the opportunity to take a formal position on this measure. Accordingly, I'm offering testimony as an individual member of the Council.

I support the purpose of HB 2760 but prefer HB 1789, which is part of the Maui County Legislative Package. I understand that you will be reviewing both nearly identical bills at your February 1, 2012 hearing.

Thank you for the opportunity to offer these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Riki Hokama".

RIKI HOKAMA
Council Member-Lanai seat

cc: Council Chair Danny A. Mateo

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

January 31, 2012

TO: Honorable Joseph Souki, Chair
House Committee on Transportation

FROM: Robert Carroll
Council Member, East Maui

A handwritten signature in cursive script that reads "Robert Carroll".

DATE: Hearing February 1, 2012

SUBJECT: **HB 2760, RELATING TO TRAFFIC SAFETY**

I support the position of Maui County Council Chair on HB 2760 for the reasons cited in testimony submitted January 30, 2012 and urge you to support his preference for HB1759, which is part of the Maui County Legislative package.

Council Chair
Danny A. MateoVice-Chair
Joseph PontanillaCouncil Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White**COUNTY COUNCIL**
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

January 31, 2012

MEMO TO: The Honorable Joseph M. Souki, Chair
House Committee on TransportationF R O M: Elle Cochran
Council Member

A handwritten signature in cursive script that reads "Elle Cochran".

SUBJECT: HEARING OF FEBRUARY 1, 2012; TESTIMONY IN SUPPORT OF HB 2760
RELATING TO TRAFFIC SAFETY

The purposes of this measure are: (1) to prohibit motor vehicles from driving and parking in designated bike lanes and bike paths; and (2) to limit the use of bike paths by moped users when a bike lane is available.

The use of bicycles as a mode of transportation is increasing as bikeway infrastructure improves and fuel prices lessen the feasibility of driving motor vehicles. I support this bill because precautions are necessary to protect and promote safety as bicycle use becomes more prevalent.

However, the language of the bill as it currently reads allows for the use of mopeds on bike paths. I feel that bike paths should be designated for the exclusive use of bicycles. Subsection 291C-1, Hawaii Revised Statutes (HRS) defines a bike path to be "any facility set aside for the preferential or exclusive use of bicycles and physically separated from a highway." The use of mopeds on roadways is already allowed and regulated under subsection 291C-196, HRS.

Mopeds, as motor vehicles, are completely capable of utilizing highways and bike routes on highways, and do not require the use of bike paths. Seeing as how bike paths are separate and independent from a highway, and the only type of bikeway not directly impacted by motor vehicle traffic, I believe that bike paths should be kept clear of unnecessary moped traffic.

Therefore, I am proposing that the follow amendments be made to HB 2760 for the purpose of restricting the use of mopeds on bike paths.

Amendment 1: HB 2760, page 1, lines 8 – 13

8 (b) No person shall drive any vehicle other than a bicycle
9 [or moped] upon a bicycle path, except upon a permanent or
10 authorized temporary driveway, or park any vehicle upon a
11 bicycle path; provided that a moped driver shall be required to
12 use a bicycle lane where available; pursuant to section 291C-197
13 (a).

The language “or moped” should be removed. This amendment will only allow bicycles and not mopeds to be used on bike paths. This change will provide consistency between State law and the current County of Maui ordinance banning mopeds on bike paths.

Amendment 2: HB 2760, page 3, lines 2 - 7

2 Wherever bicycle lanes are provided on the roadway, moped
3 drivers shall use such bicycle lanes. Mopeds[and] shall not use bicycle
4 paths. Signs clearly visible to an ordinarily observant person
5 indicating that the prohibition shall be placed along bicycle
6 paths so designated and every moped driver shall obey the
7 directions thereof.”

In Maui County, there are no bike paths located adjacent to bike lanes. This amendment will establish clear restrictions for the use of mopeds on bike paths.

Thank you for this opportunity to testify in support of this important measure.

Maui Bicycle Alliance

Keeping Maui on the Right Path!

TO: Representative Joseph Souki, Chair
Representative Linda Ichiyama, Vice Chair
Transportation Committee Members

FROM: Walter Enomoto, President, Maui Bicycle Alliance

MEETING DATE: February 1, 2012. 9:00AM

SUBJECT: Support for HB2760 with Corrections, RELATING TO TRAFFIC SAFETY

Aloha Chair Souki, Vice Chair Ichiyama and Transportation Committee Members;

The Maui Bicycle Alliance is a grassroots bicycling advocacy organization committed to improving conditions for bicycling in Maui County. We promote bicycling and advocate bicycle use in Maui County for health, recreation, sport and transportation purposes.

We are a bit confused as to the duplicative nature of this bill when viewed next to HB1759. We wish to re-state our objections voiced in HB1759 as to wording allowing for mopeds to be used on bikepaths. The language ""or moped" in line 9 of this draft bill should be stricken as shown below.

Page 1, Line 9.

8 (b) No person shall drive any vehicle other than a bicycle
9 ~~or moped~~ upon a bicycle path, except upon a permanent or
10 authorized temporary driveway, or park any vehicle upon a
11 bicycle path; provided that a moped driver shall be required to
12 use a bicycle lane where available, pursuant to section
13 29IC—197 (a)

The language on Page 3, line 3 should clearly state moped shall not use bikepaths as shown below:

1 "(a) Wherever bicycle lanes are provided on the roadway,
2 moped drivers shall use such bicycle lanes. Mopeds shall not use
3 bicycle paths. Signs clearly visible to an ordinarily observant
4 person indicating the prohibition shall be placed along bicycle
5 paths so designated and every moped driver shall obey the
6 directions thereof."

The original language is not realistic as there are no "bicycle lanes" adjacent to any "bikepaths" in Maui County or across the State to my knowledge. Bikepaths negate the need for a bicycle lane type facilities and it is highly unlikely that you would ever have both types of facilities along the same section of roadway.

The overwhelming majority of testimony received for HB1759 was AGAINST MOPEDS ON BIKEPATHS for various reasons, all of which we strongly support.

Maui Bicycle Alliance

Keeping Maui on the Right Path!

Because of the potential negative interaction between mopeds and bicyclists and pedestrians who also use these bikepaths, banning mopeds from bikepaths will help create safer conditions for ALL non motorized users of this type of facility.

Mopeds can and should use the large, wide shoulders located along Mokulele Highway as it is 6-10 ft wide and can easily accommodate their use. They are doing this *now* on roadways w/o any bike lane or bikepath facility (similar to what bicyclists must also do).

Moped use on bikepaths has been an issue within the Maui bicycling community since the first bikepaths appeared and more recently with the State DOT Highways Mokulele Bikepath which was completed in 2007.

The pictures below clearly confirm use of mopeds along this bicycle path.



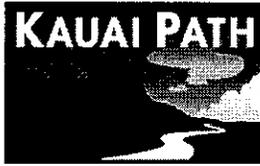
Moped and vehicle on bikepath 7/1/2008



Moped on Mokulele Bikepath 2/3/2009

In closing, we strongly feel that the members of the House Transportation Committee can improve our current and future bikepath facilities by banning the use of mopeds now.

We thank you for the opportunity to testify on this measure and thank the Chair, Vice Chair and Transportation Committee Members for hearing our concerns and supporting the changes requested.



P. O. Box 81 :: Lihue, HI 96766
phone 808.635-8823 :: fax 808.822.5075
www.KauaiPath.org
news@kauaipath.org

COMMITTEE ON TRANSPORTATION

Rep. Joseph M. Souki, Chair
Rep. Linda Ichiyama, Vice Chair
Committee Members

HEARING DATE: Wednesday, February 01, 2012
TIME: 9:00 am
PLACE: Conference Room 309
State Capitol
415 South Beretania Street
Honolulu, HI 96813

TESTIMONY OPPOSING HB 2760

RELATING TO TRAFFIC SAFETY—Restricts the use of motorized vehicles upon a bicycle path.

Aloha Chair Souki, Vice Chair Ichiyama, and Transportation Committee Members,

Kauai Path, Inc. is a 501 (c) 3 advocacy organization committed to improving conditions for walking and bicycling on Kauai. We promote the integration of multi-use paths—often referred to as bicycle or bike paths—into Kauai’s daily routines to further health, recreation, community building, and active transportation.

As written, HB 2760 would allow mopeds to legally drive on multi-use paths (or bicycle paths) under certain conditions, such as when a bike lane is not available in the vicinity of a bike path.

We oppose any moped—or any powered vehicle such as motorized bicycles—using any multi-use path at any time.

Mopeds and motorized bicycles do not belong on multi-use paths, which are managed by our County as linear parks. Multi-use paths are properly used as a safe refuge from motor vehicle dominated spaces by youngsters on their bicycles with training wheels, people pushing baby carriages or walking their dogs, runners, joggers, and roller skaters in addition to cyclists. These are the intended tranquil activities for linear parks. Allowing mopeds on these paths would destroy that safety and tranquility.

Respectfully submitted,

Sally Jo Manea, president, Kauai Path, Inc. Board of Directors

Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-vehicular paths.

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 8:34 AM
To: TRNtestimony
Cc: Don.Couch@mauicounty.us
Subject: Testimony for HB2760 on 2/1/2012 9:00:00 AM

Testimony for TRN 2/1/2012 9:00:00 AM HB2760

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Councilmember Don Couch
Organization: Individual
E-mail: Don.Couch@mauicounty.us
Submitted on: 1/31/2012

Comments:

ichiyama1 - Curi

From: Herman Goldman [goldmanh001@hawaii.rr.com]
Sent: Monday, January 30, 2012 8:30 AM
To: TRNtestimony
Subject: HB2760

Aloha;

I am sending this email to recommend that only HB1759, with the proposed amendments provided by the Maui Bicycle Alliance, be adopted, and that HB2760 be withdrawn as redundant, and to prevent potential confusion.

Herman Goldman
Pa`ia, Hi.

=====
Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 9.0.0.888, Virus/Spyware Database: 6.19150)
<http://www.pctools.com>
=====

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2012 2:40 PM
To: TRNtestimony
Cc: superdave.temple@gmail.com
Subject: Testimony for HB2760 on 2/1/2012 9:00:00 AM

Testimony for TRN 2/1/2012 9:00:00 AM HB2760

Conference room: 309
Testifier position: Oppose
Testifier will be present: No
Submitted by: David Temple
Organization: Individual
E-mail: superdave.temple@gmail.com
Submitted on: 1/30/2012

Comments:

Mopeds have no place on bike paths. They make riding on bike paths much more dangerous. Bikers are not expecting motorized vehicles to come by them at 30+ mph.

Please do not allow mopeds on bike paths!!!

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2012 3:37 PM
To: TRNtestimony
Cc: northshorebike@gmail.com
Subject: Testimony for HB2760 on 2/1/2012 9:00:00 AM

Testimony for TRN 2/1/2012 9:00:00 AM HB2760

Conference room: 309
Testifier position: Oppose
Testifier will be present: No
Submitted by: Mark Olson
Organization: Individual
E-mail: northshorebike@gmail.com
Submitted on: 1/30/2012

Comments:

I previously submitted testimony in support, but this was a mistake. There should never be mopeds in bike paths or lanes. This is totally unsafe for bicyclists.

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2012 3:38 PM
To: TRNtestimony
Cc: rcblake@mac.com
Subject: Testimony for HB2760 on 2/1/2012 9:00:00 AM

Testimony for TRN 2/1/2012 9:00:00 AM HB2760

Conference room: 309
Testifier position: Oppose
Testifier will be present: No
Submitted by: Randall Blake
Organization:
E-mail: rcblake@mac.com
Submitted on: 1/30/2012

Comments:

This is the second HB to introduce the mixing of bicycle and mopeds. The is a terrible idea. The state may lose millions of dollars in federal transportation funding if passed. Did any show this bill to any modern thinking traffic engineer? This bill should not see the light of day

FROM: Anthony G. Livic, representing himself

TO: Transportation Committee

REGARDING HEARING: Wednesday, February 1, 2012

MEASURE NUMBER: HB2760

To whom it may concern: I am a resident of Kihei, ride my bike to Kahului often on the segregated bike path and I am vehemently against this measure. The mopeds pose a serious hazard to bicyclists and pedestrians.

Respectfully submitted,

Anthony G. Livic