

STAND. COM. REP. NO.

3593

Honolulu, Hawaii

APR 06 2018

RE: H.B. No. 2215
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2215, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BICYCLES,"

begs leave to report as follows:

The purpose and intent of this measure is to require the driver of a vehicle passing and overtaking a bicycle proceeding in the same direction to allow at least three feet of separation between the right side of the driver's vehicle and the left side of the bicyclist.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Hawaii Bicycling League, Hawai'i Public Health Institute, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Blue Planet Foundation, American Diabetes Foundation, Blue Zones Projects, Maui Bicycling League, AARP Hawaii, and seventeen individuals.

Your Committee finds that, although bicycling is a healthy activity that the State has made efforts to encourage, bicycling on roadways can be dangerous and numerous bicycling fatalities in Hawaii have resulted from bicycles being struck by passing motor vehicles. Your Committee notes that thirty-nine states and the



District of Columbia have safe passing distance laws in place to reduce the number of injuries and fatalities to bicyclists and the percentage of bicyclists who feel threatened for personal safety when they ride. Enacting a safe passing distance law will be another step in promoting bicycling as a valid and safe mode of transportation as the State works to become a more bicycle-friendly place.

Your Committee notes that there are already ongoing bicycle safety measures underway in the City and County of Honolulu, such as dedicated bicycle lanes in areas of the urban core. A pilot program in the County of Kauai to evaluate the effectiveness of the proposed safe passing distance law will provide valuable insight in how to best implement the policy throughout the State.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language requiring the driver of a vehicle passing and overtaking a bicycle proceeding in the same direction to allow at least three feet of separation between the right side of the driver's vehicle and the left side of the bicyclist;
- (2) Inserting language establishing a two-year pilot program within a county consisting of two inhabited islands with the same substantive provisions; and
- (3) Requiring the Kauai Police Department to submit reports to the Legislature prior to the Regular Sessions of 2020 and 2021 on the implementation and results of the pilot program.

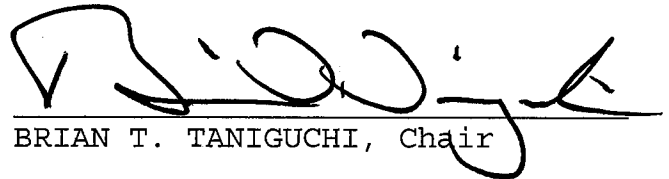
Your Committee notes that your Committee on Transportation and Energy received testimony in strong support from Kauai Path, Inc., and encourages the Kauai Police Department to collaborate with Kauai Path, Inc. on the reports to the Legislature regarding the implementation and results of the pilot program established by this measure, as amended.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2215, H.D. 1, as amended herein, and recommends that it pass



Third Reading in the form attached hereto as H.B. No. 2215,
H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



A handwritten signature in black ink, appearing to read 'B. Taniguchi', is written over a horizontal line.

BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB2215, HD1</i>	<i>TRE, JDC</i>	<i>3/29/2018</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes