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## A BILL FOR AN ACT

RELATING TO HIGHWAYS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Hana highway, the  
2 main access road between Haiku and Hana, is the primary artery  
3 utilized by residents and a popular destination for visitors to  
4 East Maui. As a primary transportation artery for East Maui,  
5 and due to the age of Hana highway and its many bridges, it has  
6 become increasing unsafe to traverse at many locations. These  
7 unsafe conditions have manifested in delays in the delivery of  
8 life saving services, extended commutes for residents,  
9 accidents, as well as disputes between residents and visitors.  
10 In addition, the Maui police department is unable to properly  
11 manage the number of vehicles and people accessing Hana highway.

12           The legislature further finds that Haleakala highway, the  
13 only access to Haleakala, is thirty-seven miles long and is  
14 comprised of one lane running in either direction with no  
15 guardrails, little or soft shoulders along steep cliff sides,  
16 and frequent switchbacks. Due to the elevation, Haleakala



1 experiences sudden and severe weather changes, which severely  
2 impact visibility on the roadway.

3 The legislature believes that to ensure the safety of  
4 residents and visitors of Maui, there needs to be weight  
5 limitations for certain vehicles and a sustainable funding  
6 source to maintain and improve Maui's highways.

7 Accordingly, the purpose of this Act is to:

- 8 (1) Set weight limitations for tour operators and rental  
9 vehicles;
- 10 (2) Establish user fees for certain vehicles to access  
11 Hana highway and Haleakala highway; and
- 12 (3) Amend the highway development special fund to allow  
13 the deposit of funds received from the user fees into  
14 the special fund and authorize the funds to be used  
15 for the development and improvement of Hana highway  
16 and Haleakala highway.

17 SECTION 2. Chapter 264, Hawaii Revised Statutes, is  
18 amended by adding two new sections to part I to be appropriately  
19 designated and to read as follows:

20 "§264-A Hana highway; Haleakala highway; tour vehicles;  
21 rental vehicles; weight limitations. (a) No:





1 264-122; provided that the funds collected pursuant to  
2 subsection (a) shall be used for the development and improvement  
3 of Hana highway and Haleakala highway.

4 (c) The department of transportation shall adopt rules  
5 pursuant to chapter 91 to carry out the purposes of this  
6 section.

7 (d) For the purposes of this section:

8 "Bicycle" has the same meaning as in section 286-2.

9 "Bicycle tour" includes guided bicycle tours and unguided  
10 bicycle rental operations.

11 "Electric scooter" means a self-balancing, nontandem, two-  
12 wheeled device that:

13 (1) Is no greater than twenty inches deep and twenty-five  
14 inches wide;

15 (2) Can turn in place;

16 (3) Is designed to transport one person at a time;

17 (4) Has an electrical propulsion system with an average  
18 power of seventy hundred fifty watts or one  
19 horsepower; and



1        (5) Has a maximum speed that, when powered solely by a  
2                    propulsion system on a paved level surface, is no more  
3                    than 12.5 miles per hour.

4        "Rental vehicle" has the same meaning as in section 264-A.

5        "Tour vehicle" has the same meaning as in section 251-1."

6        SECTION 3. Section 264-122, Hawaii Revised Statutes, is  
7 amended by amending subsections (a) and (b) to read as follows:

8        "(a) There is established in the state treasury the  
9 highway development special fund to be administered by the  
10 department, into which shall be deposited:

11        (1) Transfers of county impact fees assessed under part  
12                    VIII of chapter 46 and this part to pay for state  
13                    highway improvements;

14        (2) Interest from investment of deposits; [~~and~~]

15        (3) Moneys received pursuant to section 264-B; and

16        [~~(3)~~] (4) Legislative and county appropriations.

17        (b) Moneys in the highway development special fund shall  
18 be used for the following purposes:

19        (1) Capital costs of qualifying proposed state highway  
20                    improvements; provided that funds received pursuant to  
21                    section 264-B shall be used for the development and



1           improvement of Hana highway and Haleakala highway in  
2           the county of Maui;

3           (2) Reevaluation of the need, geographic limitations,  
4           amount, and use of impact fees;

5           (3) Transfers to reimburse other special funds for  
6           expenditures which otherwise might have been funded  
7           with moneys in the highway development special fund;

8           (4) Transfers under sections 36-27 and 36-30;

9           (5) Refunds under section 264-125; and

10          (6) The department's costs to implement this part,  
11          including but not limited to costs to administer the  
12          highway development special fund."

13          SECTION 4. In codifying the new sections added by section  
14          2 of this Act, the revisor of statutes shall substitute  
15          appropriate section numbers for the letters used in designating  
16          the new sections in this Act.

17          SECTION 5. Statutory material to be repealed is bracketed  
18          and stricken. New statutory material is underscored.

19          SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: *Jada A Clark*

JAN 20 2022



# H.B. NO. 1632

**Report Title:**

Hana Highway; Haleakala Highway; Weight Limitation; Tour Operators; Rental Vehicles; User Fees

**Description:**

Sets weight limitations for tour operators and rental vehicles on Hana and Haleakala highways. Establishes user fees to access Hana and Haleakala highways for certain vehicles. Amends the highway development special fund to allow the deposit funds received from the user fees into the special fund and authorizes the fund to be used for the development and improvement of Hana and Haleakala highways.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

