

JAN 17 2020

A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

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

1 SECTION 1. The legislature finds that every second counts
2 during an evacuation caused by a natural disaster. Even a few
3 minutes could make a difference in saving and protecting the
4 lives of the State's residents. Because Hawaii is a seismically
5 active state, a shallow undersea earthquake could quickly cause
6 destruction to low-lying areas. The Pacific Tsunami Warning
7 Center notes that a tsunami generated along the southeast coast
8 of the island of Hawaii could reach Hilo or Kona within five to
9 ten minutes, the island of Maui within fifteen to twenty
10 minutes, and the island of Oahu within thirty to forty minutes.
11 During a locally generated tsunami event, persons in low-lying
12 areas must act quickly to evacuate, which requires roads to be
13 clear and free of obstruction.

14 The legislature further finds that large trees planted
15 along thoroughfares that lead to coastal communities could fall
16 and obstruct these roads during an evacuation. A blocked road
17 may prevent residents from evacuating quickly. Blocked roads



1 that are the only means to leave an evacuation zone could
2 unnecessarily put lives at risk. Road obstructions could also
3 prevent emergency response vehicles and personnel from reaching
4 or returning to an evacuation zone following a disaster, cutting
5 off life-saving support from those who critically need it. The
6 potential for rockfalls, dirt- and debris-filled roads, and
7 eroded roads along the coastline pose similar risks.

8 Accordingly, the purpose of this Act is to prevent large
9 trees, rockfalls, dirt and debris, and coastal erosion from
10 obstructing evacuation routes by:

- 11 (1) Requiring the Hawaii emergency management agency to
12 identify key evacuation routes;
- 13 (2) Prohibiting the planting of large trees along
14 evacuation routes;
- 15 (3) Requiring the Hawaii emergency management agency to
16 identify existing large trees along evacuation routes
17 and to trim, spray, or remove the trees if the trees
18 have the potential to obstruct the evacuation route;
- 19 (4) Requiring the Hawaii emergency management agency to
20 identify areas where rockfalls, dirt and debris, or
21 coastal erosion could potentially obstruct evacuation



1 routes and to take measures to mitigate these risks;

2 and

3 (5) Appropriating funds to the Hawaii emergency management
4 agency.

5 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§127A- Emergency evacuation routes; prevention of
9 obstructions. (a) No later than January 1, 2021, and not less
10 than every five years thereafter, the agency shall compile a
11 list of highways in the State that qualify as an evacuation
12 route, as defined in subsection (f).

13 (b) Beginning July 1, 2021, no person shall plant a large
14 tree within fifteen feet of the roadway portion of an evacuation
15 route.

16 (c) No later than January 1, 2022, the agency shall
17 establish a registry of large trees situated within fifteen feet
18 of the roadway portion of an evacuation route. The agency shall
19 update the registry on an ongoing basis.

20 (d) If the agency believes a large tree identified
21 pursuant to subsection (c) has the potential to obstruct an



1 evacuation route during an emergency or disaster, the agency
2 shall:

3 (1) Trim, spray, or remove the large tree; or

4 (2) Order a landowner or other person having control over
5 the real property where the tree is situated to trim,
6 spray, or remove the large tree.

7 (e) The agency shall also identify areas where rockfalls,
8 dirt and debris, or coastal erosion could potentially obstruct
9 an evacuation route and take measures to mitigate these risks.

10 (f) As used in this section:

11 "Evacuation route" means:

12 (1) Any highway under the jurisdiction of the department
13 of transportation that provides access to:

14 (A) A tsunami evacuation zone;

15 (B) A special flood hazard area; or

16 (C) Any other area that, in the director's
17 discretion, has a reasonably high likelihood of
18 being required to evacuate during an emergency;

19 or

20 (2) Any highway under the jurisdiction of the department
21 of transportation that provides access to an area



1 where at least one hundred persons live, work, or are
2 otherwise present at a particular time; provided that
3 the highway is the only means of access to the area.

4 "Highway" has the same meaning as in section 264-1.

5 "Large tree" means any plant that has a single trunk and
6 will eventually attain a height of more than fifteen feet.

7 "Roadway" has the same meaning as in section 291C-1.

8 "Special flood hazard area" means an area identified as a
9 special flood hazard area by the Federal Emergency Management
10 Agency.

11 "Tsunami evacuation zone" means an area within a tsunami
12 evacuation zone or an extreme tsunami evacuation zone, as
13 designated by a county emergency management agency."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2020-2021 for the
17 purposes of this Act.

18 The sum appropriated shall be expended by the Hawaii
19 emergency management agency for the purposes of this Act.

20 SECTION 4. New statutory material is underscored.



S.B. NO. 2411

1 SECTION 5. This Act shall take effect on July 1, 2020.

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S.B. NO. 2411

Report Title:

HEMA; Disaster Preparation; Evacuation Routes; Obstructions; Appropriation

Description:

Prohibits the planting of large trees along evacuation routes. Requires the Hawaii Emergency Management Agency to identify and trim, spray, or remove large trees that have the potential to obstruct evacuation routes. Requires the agency to identify areas where rockfalls, dirt and debris, or coastal erosion could potentially obstruct evacuation routes and to take measures to mitigate these risks. Appropriates funds.

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