

JAN 25 2023

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that reports have named
2 Hawaii roads the most dangerous in the nation to pedestrians
3 aged sixty-five and over. In 2022, there were one hundred and
4 seventeen traffic-related fatalities in the State. This is an
5 increase from the ninety-five traffic-related fatalities that
6 occurred within the State in 2014.

7 The legislature further finds that it currently takes the
8 State five to seven years to make simple but urgent safety fixes
9 to better protect people. The legislature believes that the
10 State should enable critical safety projects to be implemented
11 faster, and at lower costs, to help save lives.

12 Accordingly, the purpose of this Act is to increase traffic
13 safety by allowing the director of transportation to exempt
14 certain ground transportation facility projects from historic
15 preservation review, the environmental impact statement law, and
16 the Hawaii public procurement code under certain conditions.



1 SECTION 2. Chapter 264, Hawaii Revised Statutes, is
2 amended by adding a new section to part X to be appropriately
3 designated and to read as follows:

4 "§264- Traffic safety; exemptions; historic preservation
5 review; environmental impact statement law; Hawaii public
6 procurement code. The director of transportation may exempt any
7 state or county project under a ground transportation facilities
8 plan developed pursuant to section 264-142 from:

- 9 (1) Chapter 6E; provided that the project does not require
10 any excavation greater than twenty-four inches below
11 grade;
- 12 (2) Chapter 343; provided that if the project is to be
13 constructed on land that is not directly under the
14 control of the department of transportation, the
15 department of transportation shall obtain a written
16 agreement with the governmental entity or landowner
17 that controls the land on which the project is to be
18 constructed; and
- 19 (3) Chapter 103D; provided that the contract for the
20 project shall not be in excess of \$100,000;



1 provided further that such project has the primary purpose of
2 building protective infrastructure and related appurtenances for
3 pedestrians, bicyclists, and people on other mobility devices by
4 either adding not more the twelve feet in width to any existing
5 hardened travel surface, or providing for a new hardened travel
6 surface of not more than twelve feet in width."

7 SECTION 3. If any provision of this Act, or the
8 application thereof to any person or circumstance, is held
9 invalid, the invalidity does not affect other provisions or
10 applications of the Act that can be given effect without the
11 invalid provision or application, and to this end the provisions
12 of this Act are severable.

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 2023.

15

INTRODUCED BY: 



S.B. NO. 1535

Report Title:

Traffic Safety; Department of Transportation; Construction Projects; Exemptions; Historic Preservation; Archeological Review; Environmental Impact Statement Law; Hawaii Public Procurement Code

Description:

Allows the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review, the environmental impact statement law, and the Hawaii public procurement code under certain conditions.

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

