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# 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;



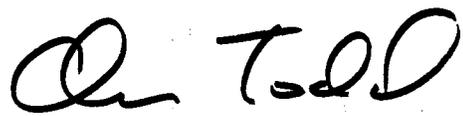
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1 provided further that such project has the primary purpose of  
 2 building protective infrastructure and related appurtenances for  
 3 pedestrians, bicyclists, and people on other mobility devices by  
 4 either adding not more the twelve feet 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: 

JAN 25 2023



# H.B. NO. 1347

**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.*

