

A Bill for an Act Relating to Bicycles and Bikeways.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. **Findings and purpose.** The legislature finds that the use of bicycles as a pleasurable means of travel and recreation embodying

physical, environmental, and social benefits is already recognized by most people in the State and will be further encouraged given the opportunity for safe, convenient, and pleasant bicycle travel throughout Hawaii. The legislature further finds that dependence on the private automobile as the dominant mode of transportation must be reduced, particularly in the light of the energy crisis, and the development of a fully integrated system of pedestrian, bicycle, local transit, trailways, and automobile facilities should help to reduce this dependency. It is, therefore, the purpose of this Act to establish a fund to be used in each county for the design, construction, and maintenance of bikeways and related facilities.

SECTION 2. Chapter 249, Hawaii Revised Statutes, is amended by adding three new sections to be appropriately designated and to read as follows:

“Sec. 249- Bikeway fund; established. All taxes collected under sections 249-14 and 249- shall be deposited in a fund to be known as the “bikeway fund” and shall be expended in the county in which the taxes are collected for the following purposes:

- (1) For acquisition, design, construction, improvement, repair, and maintenance of bikeways, including the installation and repair of storm drains and bridges;
- (2) For installation, maintenance, and repair of bikeway lights and power, including replacement of old bikeway lights;
- (3) For purposes and functions connected with traffic control and preservation of safety upon bikeways; and
- (4) For payment of interest on and redemption of bonds issued to finance bikeway construction and improvements.

Sec. 249- New bicycles. All new bicycles, otherwise taxable under section 249-14, in stock for purposes of sale shall be exempt from the tax herein provided for; provided that the time of first sale, the dealer selling the new bicycle shall:

- (1) Require the buyer to complete license application forms furnished by the county treasurer or director of finance;
- (2) Issue a copy of the completed forms to the buyer; and
- (3) Transmit the completed forms to the county treasurer or director of finance with the required tax fees which he has collected from the buyer.

Upon receipt of the tax, fees, and the completed license application forms, the county treasurer or director of finance shall mail a license plate and certificate of registration to the registered owner. Until the license plate is received from the county, the bicycle owner shall keep a copy of the completed application form upon his person when riding his bicycle on a public street.

Sec. 249- Violations; penalty. Any seller who violates the provisions of section 249- may be fined not exceeding \$500.”

SECTION 3. Section 249-14, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 249-14 Bicycle tax. (a) All bicycles used for the conveyance of persons shall be subject to an annual tax of \$3 each to be paid by the owners thereof to the county director of finance. This tax shall become due and payable on January 1 and shall be delinquent on March 1 of each year; provided that any bicycle initially acquired after November 30 of a calendar year, previously not registered, shall be exempt from taxation until January 1 of the next calendar year, provided that the tax for the next calendar year shall be paid before January 1. Upon receipt of the tax, the director of finance shall number and register each bicycle, for which the tax is paid, in the owner’s name and furnish the owner with a metallic tag or decal for each bicycle with number and year marked thereon, charging therefor the sum of 10 cents, which tag or decal shall be attached to the bicycle. The decal shall be affixed to the upright post attached to the sprocket facing in the forward direction. Upon initial registration by an owner or transferee, the director of finance shall require proof of ownership and require the owner to furnish verification of the serial number and description contained in the proof of ownership and application for registration. The metallic tags or decals shall be in such form as the director of finance of the county shall from time to time prescribe. It shall be the duty of the council of each county to purchase a sufficient number of such tags or decals.

(b) All taxes collected under this section shall be deposited into the bikeway fund and shall be expended in the county in which the taxes are collected as provided in section 249- .”

SECTION 4. Section 249-18, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 249-18 Highway fund. All taxes collected under this chapter, except those collected pursuant to sections 249-14 and 249- , shall be deposited in a fund to be known as the “highway fund” and shall be expended in the county in which the taxes are collected for the following purposes:

- (1) For acquisition, designing, construction, improvement, repair, and maintenance of public roads and highways, including without restriction of the foregoing purposes, costs of new land therefor, of permanent storm drains or new bridges, as well as repairs or additions to storm drains or bridges;
- (2) For installation, maintenance, and repair of street lights and power, and other charges for street lighting purposes, including replacement of old street lights, on county-maintained public roads and highways;
- (3) For purposes and functions connected with traffic control and preservation of safety upon the public highways and streets;
- (4) For payment of interest on and redemption of bonds issued to finance highway and street construction and improvements;
- (5) In the case of the city and county of Honolulu, for the appropriation for the police department up to the sum of \$500,000. No expenditures shall be made out of this fund which will jeopardize federal aid for highway construction;
- (6) For purposes and functions connected with mass transit; and
- (7) For the design and construction of bikeways.”

SECTION 5. There is hereby appropriated the sum of \$50,000 in general obligation bonds for the development of a statewide master plan for bikeways, which shall be completed by June 20, 1975.

SECTION 6. The director of finance is authorized to issue general obligation bonds of the State in the amount of \$50,000 to be used for the purposes of this Act.

SECTION 7. The sum appropriated shall be expended by the department of transportation for the purpose of this Act.

SECTION 8. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 9. This Act shall take effect on January 1, 1975; except that Section 5 shall take effect upon its approval.

(Approved May 31, 1974.)

*Edited accordingly.