

ACT 42

H.B. NO. 2302

A Bill for an Act Relating to Roadwork.

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

SECTION 1. Section 103-15, Hawaii Revised Statutes, is amended to read as follows:

“[[§103-15]] Contract provisions to consider traffic. (a) Unless otherwise prohibited by law, all public contracts awarded under this chapter shall consider the extent to which the work undertaken pursuant to the contract will increase traffic congestion [during peak traffic hours]. The contract shall contain provisions to reasonably minimize any adverse impact.

(b) The feasibility of off-hour construction shall be considered for all public contracts that result in significant traffic congestion or delay during the term of the contract.

(c) As used in this section, “off-hour construction” means construction performed between the hours of six o’clock p.m. and six o’clock a.m.”

SECTION 2. Section 264-31, Hawaii Revised Statutes, is amended to read as follows:

“§264-31 Maintenance of federal-aid highways. (a) The maintenance work on all roads upon which federal-aid funds have been expended shall be performed under the direction and supervision of the director of transportation either by public employment or by contract, or the director may have the work performed by the county road department, by public employment or by contract, upon authorization of the council of the county concerned. Expenditures for the maintenance work shall be made from the state highway fund created by section 248-8.

(b) All maintenance work shall consider the extent to which work undertaken will increase traffic congestion and the director shall ensure that action is taken to reasonably minimize any adverse impact. The feasibility of off-hour maintenance work shall be considered for all maintenance work that results in significant traffic congestion or delay.

(c) As used in this section, "off-hour maintenance work" means maintenance work performed between the hours of six o'clock p.m. and six o'clock a.m."

SECTION 3. Section 264-44, Hawaii Revised Statutes, is amended to read as follows:

"§264-44 Maintenance of state highway system. (a) The maintenance of the state highway system may be performed either by public employment or by contract, or the director of transportation may have the maintenance performed by the county in which the highways are situated, by public employment or by contract, upon authorization of the legislative body of the county concerned.

(b) All maintenance work shall consider the extent to which work undertaken will increase traffic congestion and the director shall ensure that action is taken to reasonably minimize any adverse impact. The feasibility of off-hour maintenance work shall be considered for all maintenance work that results in significant traffic congestion or delay.

(c) As used in this section, "off-hour maintenance work" means maintenance work performed between the hours of six o'clock p.m. and six o'clock a.m."

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 27, 1992.)