
SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE
LEGISLATURE ON THE PROGRESS OF ESTABLISHING FLEXIBLE
HIGHWAY DESIGN GUIDELINES PURSUANT TO ACT 185, SESSION LAWS
OF HAWAII 2005.

1 WHEREAS, Act 185, Session Laws of Hawaii 2005, relating to
2 flexible highway design, provides in pertinent part as follows:
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4 [Before] June 30, 2006, the director of transportation
5 shall establish flexible highway design guidelines to
6 govern new construction, reconstruction, preservation,
7 resurfacing (except for maintenance surfacing),
8 restoration, or rehabilitation of bridges, principal and
9 minor arterial roads, collector and local roads, and
10 streets. The guidelines shall include and address the
11 considerations set forth in section 2 of this Act.
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13 The guidelines shall also provide for documentation of the
14 facts, circumstances, and considerations involved in the
15 flexible design decision, including an explanation of the
16 process and the reasoning that led to the decision.
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18 [The] director shall establish a process to allow flexible
19 highway design to be considered when designing improvements
20 on the following highways:
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- 22 (1) Hana highway, east Maui;
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24 (2) Hanalei road, north Kauai;
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26 (3) Hamakua-Honokaa heritage corridor, island of Hawaii;
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28 (4) Upper Kona road, island of Hawaii; and
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30 (5) Ka Iwi coastal highway, eastern Oahu;
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32 and



1 WHEREAS, during the past decade, highway design has
2 undergone significant change with engineers and planners
3 employing greater flexibility in the way they design road
4 projects through context-sensitive solutions and design; and
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6 WHEREAS, through the use of the Federal Highway
7 Administration *Flexibility in Highway Design* book, and the
8 American Association of State Highway and Transportation
9 Officials *Green Book*, and *A Guide for Achieving Flexibility in*
10 *Highway Design* (May 2004), engineers and planners are able to
11 consider more than safety and efficiency when building new roads
12 or reconstructing old roads; and
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14 WHEREAS, these additional design considerations include the
15 environment, scenic and historic preservation, community
16 effects, and aesthetics; and
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18 WHEREAS, Section 1016(a) of the Intermodal Surface
19 Transportation Efficiency Act of 1991 allows approval of
20 projects designed to allow for historic and scenic value
21 preservation, while ensuring safe use; and
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23 WHEREAS, the National Highway System Act gives states the
24 flexibility to develop and apply criteria they deem appropriate
25 for federal-aid projects not on the National Highway System; and
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27 WHEREAS, Hawaii is reportedly only one of two states that
28 have not obtained federal moneys for flexible highway design;
29 and
30

31 WHEREAS, highway design under the National Highway System
32 Act (other than interstates) may consider the constructed and
33 natural environment of the area, and the environmental, scenic,
34 aesthetic, historic, community, and preservation impacts of the
35 project; and
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37 WHEREAS, Act 185 further stated that the legislature adopts
38 the concept of flexible highway design and determines as a
39 matter of policy that the department should address these
40 concerns by developing guidelines; now, therefore,
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42 BE IT RESOLVED by the Senate of the Twenty-third
43 Legislature of the State of Hawaii, Regular Session of 2006, the
44 House of Representatives concurring, that the Department of



1 Transportation is requested to report the Legislature on the
2 progress of establishing flexible highway design guidelines
3 pursuant to Act 185, Session laws of Hawaii 2005; and
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5 BE IT FURTHER RESOLVED that the report include but not be
6 limited to the following information:
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- 8 (1) The reason for the apparent delay in implementing
9 flexible highway design;
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- 11 (2) When the flexible highway design guidelines will be
12 completed;
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- 14 (3) The amount of federal moneys, if any, the State can
15 expect to receive for implementation of flexible
16 highway design guidelines, including the procedures
17 for obtaining such moneys; and
18
- 19 (4) The amount of federal moneys the State may have lost
20 due to the delay in implementing flexible highway
21 design;
22

23 and
24

25 BE IT FURTHER RESOLVED that certified copies of this
26 Concurrent Resolution be transmitted to the Director of
27 Transportation and the Governor.
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30 OFFERED BY: *Russell K. Kolb*

