

JAN 19 2007

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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. Section 248-9, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Moneys in the state highway fund may be expended for  
4 the following purposes:

5           (1) To pay the costs of operation, maintenance, and repair  
6 of the state highway system, including without  
7 limitation, the cost of equipment and general  
8 administrative overhead;

9           (2) To pay the costs of acquisition (including real  
10 property and interests therein), planning, designing,  
11 construction, and reconstruction of the state highway  
12 system and bikeways, including, without limitation,  
13 the cost of equipment and general administrative  
14 overhead; [~~provided that the director of~~  
15 ~~transportation shall allot and expend two per cent of~~  
16 ~~federally eligible moneys in the state highway fund~~  
17 ~~for bikeways;~~]



1       (3) To reimburse the general fund for interest on and  
 2           principal of general obligation bonds issued to  
 3           finance highway projects where the bonds are  
 4           designated to be reimbursable out of the state highway  
 5           fund; and

6       (4) To pay the costs of construction, maintenance, and  
 7           repair of county roads; provided that none of the  
 8           funds expended on a county road or program shall be  
 9           federal funds when such expenditure would cause a  
 10          violation of federal law or a federal grant  
 11          agreement."

12       SECTION 2. Section 264-18, Hawaii Revised Statutes, is  
 13       amended to read as follows:

14       1. By amending subsection (a) to read:

15       "(a) Out of the state highway fund reasonable amounts  
 16       shall be expended as necessary by the State [~~for the~~  
 17       ~~establishment of~~] to establish bikeways. [~~Bikeways shall be~~  
 18       ~~established,~~] The State shall establish bikeways, whenever  
 19       practicable, wherever a highway, road, or street is being  
 20       constructed, reconstructed, relocated, or rehabilitated[~~+~~];  
 21       provided that:



- 1        (1) At least two per cent of eligible federal moneys shall
- 2                be expended to establish bike paths and bike lanes in
- 3                the State's master bicycling plan;
- 4        (2) The department of transportation shall include the
- 5                bicycling community in a public involvement process to
- 6                determine when and where a bikeway should be
- 7                established; and
- 8        (3) A reasonable and proportional share of highway
- 9                maintenance funds shall be allocated to maintain
- 10               bikeways to ensure that safe conditions prevail."

11        2. By amending subsection (d) to read:

12                "(d) As used in this section, the ~~[term]~~ terms "bikeway,"

13        "bicycle path," and "bicycle lane" shall have the same meaning

14        as in section 291C-1."

15        SECTION 3. Statutory material to be repealed is bracketed

16        and stricken. New statutory material is underscored.

17        SECTION 4. This Act shall take effect on July 1, 2007.

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INTRODUCED BY: Will Engro

**Report Title:**

Transportation; Bikeways

**Description:**

Earmarks 2% of federally eligible moneys from the state highway fund for bikeways.

