

STAND. COM. REP. NO. 1149

Honolulu, Hawaii

March 24, 2009

RE: S.B. No. 714  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 714, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES,"

begs leave to report as follows:

The purpose of this bill is to alleviate traffic congestion during traffic emergencies that require lane-closures by law enforcement or emergency services personnel by:

- (1) Allowing all motor vehicles, regardless of the number of persons carried in the vehicle, to use a high occupancy vehicle (HOV) lane or zipper lane; and
- (2) Providing the Director of the Department of Transportation (DOT) with the express authority to declare an emergency and open the use of the HOV and zipper lanes.

DOT and a concerned individual testified in support of this bill.

A number of areas and communities throughout the state are accessible by only one route. Many times, residents of these communities endure long commute times due to a traffic accident or other traffic emergency that forces authorities to close lanes on the roadway. Sometimes, the traffic congestion that results lasts

SB714 HD1 HSCR TRN HMS 2009-3020



for hours leaving many frustrated drivers in their vehicles. Allowing these drivers to use HOV lanes or the zipper lane during these lane closures may help mitigate this problem.

However, your Committee notes DOT's concern that limiting the use of the zipper lane to an area within a two mile radius of the traffic incident or accident is impractical as once a vehicle enters the zipper lane, there is no exit from the zipper lane for approximately 12 miles. Accordingly, your Committee has amended this bill by clarifying that use of the zipper lane or HOV lane is contingent upon at least one other lane in the same direction as the direction of the traffic incident or accident being closed due to a traffic incident or accident.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 714, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 714, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,

  
\_\_\_\_\_  
JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCOE 1149

**Record of Votes of the Committee on Transportation**

<b>Bill/Resolution No.:</b> SB 714, SD1	<b>Committee Referral:</b> TRN, JUD	<b>Date:</b> 03/16/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>TRN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. SOUKI, Joseph M. (C)	/			
2. AWANA, Karen Leinani (VC)	/			
3. AQUINO, Henry J.C.	/			
4. HANOHANO, Faye P.	/			
5. KEITH-AGARAN, Gilbert S.C.				/
6. LEE, Marilyn B.	/			
7. NAKASHIMA, Mark M.	/			
8. RHOADS, Karl	/			
9. SAIKI, Scott K.				/
10. TAKUMI, Roy M.	/			
11. YAMASHITA, Kyle T.	/			
12. PINE, Kymberly Marcos				/
<b>TOTAL (12)</b>	9	0	0	3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____ <i>Karen Awana</i>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				