



## DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814  
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

April 2, 2009

### TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

#### Senate Bill 281 – Relating to Statewide Traffic Code

The Disability and Communication Access Board (DCAB) is a statewide board with seventeen (17) members appointed by the Governor, thirteen (13) of whom are persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board.

DCAB opposes Senate Bill 281 because it may cause some problems for people with disabilities who use electric personal assistive mobility devices. We prefer the wording from House Bill 141 that provides an exception for police officers and people with disabilities.

We suggest an amendment on page 1, line 6 at the end of the first sentence to insert reflect similar wording from House Bill 141:

“An electric personal assistive mobility device shall be prohibited on sidewalks in business districts except when being used by a police officer or person with a disability.”

With this change, DCAB will support Senate Bill 281.

Thank you for the opportunity to testify.

Respectfully submitted,

CHARLES W. FLEMING  
Chairperson

FRANCINE WAI  
Executive Director

TO: COMMITTEE ON JUDICIARY  
Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair

FROM: Eudice R. Schick  
PABEA (Policy Advisory Board for Elder Affairs)

SUBJECT: SB 281 (HSCR 1109)

HEARING: Thursday, April 2, 2009 3:45 p.m.

POSITION: Support Intent of SB 281 (HSCR 1109)

I am offering testimony on behalf of PABEA, the Policy Advisory Board for Elder Affairs, which is an appointed Board tasked with advising the Executive Office on Aging (EOA). My testimony does not represent the views of the EOA but of the Board.

SB 281 (HSCR 1109) addresses, in part, the use of motorized vehicles on State and County sidewalks. First let me say that I myself am disabled and a user of a motorized vehicle. I also wish that we had more sidewalks available to use for our safety. It is vital that, at all times and places, the law allows the usage of motorized vehicles for handicap persons on sidewalks. This is a safety issue and cannot be ignored.

Thank you for your support of this bill and its value to the disabled.

Eudice R. Schick, Chair PABEA Legislative Committee



Representative Jon Riki Karamatsu, Chair  
House Committee on Judiciary

Chair Karamatsu, Vice-Chair Ito, and Members of the Committee:

Segway Inc., the global leader in developing advanced electric propulsion technologies including the Segway Personal Transporter (PT), **supports Senate Bill 281 - Relating to the Statewide Traffic Code.**

The Segway PT was introduced in 2001 and shortly thereafter, a vast majority of states, including Hawaii, passed legislation defining the device as an Electric Personal Assistive Mobility Device or EPAMD. To date, tens of thousands of devices have been sold into the commercial and consumer marketplaces. Just over 1,000 law enforcement agencies worldwide deploy Segway PTs and a recent evaluation by the National Institute of Justice (NIJ) declared the Segway PT to be "one of the best community policing tools". In everyday life, the Segway PT is rapidly becoming a significant transportation option for individuals who prefer a highly efficient, safe and zero emissions vehicle to offset escalating gas prices and reduce their greenhouse gas emissions.

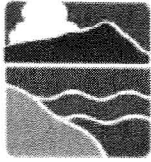
The device, which is manufactured in the United States, is engineered with safety as the highest priority. Undergoing intensive testing prior to leaving the manufacturing plant, the Segway PT has been tested by four independent safety agencies, including the U.S. Department of Transportation, and all have concluded the device to be safe, stable and extremely maneuverable and appropriate for non-motorized pathways. Sold only and directly through authorized dealers, including one in Honolulu, the Segway PT is only placed in the hands of a user once that person undergoes product orientation and training. This commitment to safety clearly distinguishes the company and its products from all other two and three wheeled motorized devices.

The current Hawaii EPAMD law restricts usage of the device primarily to sidewalks at a speed not to exceed 8 mph. SB 281 seeks to amend the current law by adding a local government control option. Segway Inc. agrees that local governments should have a say in when and where an EPAMD is operated. However, we respectfully request that any further regulation imposed on EPAMD use would be based upon actual issues which have arisen with the Segway PT itself and not other "like" devices.

Thank you for the opportunity to comment.

Sincerely,

Matthew J. Dailida  
Director, Government Affairs  
Segway Inc.



# WAIKIKI IMPROVEMENT ASSOCIATION

Statement of  
**Rick Egged, President, Waikiki Improvement Association**  
Before the  
**HOUSE COMMITTEE ON JUDICIARY**  
Thursday, April 2, 2009  
3:45 PM  
State Capitol, Conference Room 325  
in consideration of

## **SB 281 RELATING TO THE STATEWIDE TRAFFIC CODE**

Good afternoon Chair Karamatsu, Vice Chair Ito and members of the Committee:

I am Rick Egged testifying on behalf of the Waikīkī Improvement Association. WIA is a nonprofit organization representing 150 leading businesses and stakeholders in Waikīkī.

SB 281 allows the counties to prohibit or regulate electric personal assistive mobility devices on sidewalks. The Waikīkī Improvement Association strongly supports this measure. Waikīkī has the busiest sidewalks in the state. The use of Segways and motorized scooters can be very dangerous for pedestrians.

Current law allows Segway scooters to go up to eight mph on the sidewalk, yet sidewalks are designed for typical walking speeds of approximately three mph. Having vehicles moving over two and a half times faster than pedestrian traffic in the same space is simply not safe.

The National Safety Council has determined that the average reaction time for an emergency braking situation is three-quarters of a second. At even eight mph, a Segway would therefore travel an average of nine feet before the user would even initiate braking. Segway claims that the device could then be stopped in an additional five feet for a total stopping distance of fourteen feet. Again, this would be completely unsafe for sidewalk use.

The energy expended in a crash of a rider on a eighty pound Segway scooter going eight mph would be many times greater than for a person walking or running.

Vehicles such as bicycles, scooters, skateboards, and roller skates have all been banned from Waikīkī sidewalks due to them having been found to be dangerous in a pedestrian environment.

Pedestrians are not regulated traffic and do not travel in a straight line. Vehicles going up to eight mph should not be mixed with pedestrians. Fast moving vehicles on the sidewalk would be especially dangerous to those with visual impairments.

There is no viable way to enforce safe operation of Segways on the sidewalks. Segway users are not required to have insurance, though the devices are demonstrably dangerous to operate on a sidewalk.

Segways are virtually silent, and therefore a serious menace to the visually impaired.

Segways will eventually have mechanical and electrical failures preventing them from being operated in a safe manner.

There is no way to expect police to enforce a speed limit on our sidewalks. It is difficult enough for them to enforce the speed limits on our roads.

There are numerous other considerations as well particular to different geographic locations. This legislation simply allows each county to determine if the use of electric personal assistive mobility devices on sidewalks is safe or not. WIA believes the Counties are in the best position to make that determination.

Thank you for this opportunity to provide these comments.