



GOV. MSG. NO. 665

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 6, 2010

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith HB2708 HD1 SD1, without my approval, and with the statement of objections relating to the measure.

HB2708 HD1 SD1

A BILL FOR AN ACT  
RELATING TO TRANSPORTATION.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2708

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2708, entitled "A Bill for an Act Relating to Transportation."

The purpose of this bill is to require the Department of Transportation to develop and use a public involvement process for public review and comment in carrying out the statewide transportation planning process, including development of all state transportation projects.

The Department of Transportation has an established public involvement policy that is applicable to all modal divisions. This policy was updated last year and can be revised whenever it is necessary and appropriate.

Implementing the public involvement process proposed in this bill requires administrative rules that will be time-consuming, and will make updating said policies inflexible, more costly, and less responsive to the general public.

For the foregoing reasons, I am returning House Bill No. 2708 without my approval.

Respectfully,



LINDA LINGLE  
Governor of Hawaii

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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. Chapter 279A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§279A- Statewide transportation plan; public  
5 involvement. (a) In carrying out the statewide transportation  
6 planning process, including development of all state  
7 transportation projects within the statewide transportation  
8 plan, the department of transportation shall develop and use a  
9 documented public involvement process that provides  
10 opportunities for public review and comment. At a minimum, the  
11 public involvement process shall:

12           (1) Establish early and continuous public involvement  
13 opportunities that provide timely information about  
14 transportation issues and decision-making processes to  
15 individuals, affected public agencies, representatives  
16 of public transportation employees, private providers  
17 of transportation, pedestrians, bicyclists,  
18 representatives of the disabled, providers of freight



- 1           transportation and shipping services, and other  
2           interested parties;
- 3           (2) Establish policies to provide public access to  
4           technical and policy information used in the  
5           development of the statewide transportation plan;
- 6           (3) Provide public notice of public involvement activities  
7           and times for public review and comment at key  
8           decision points, including a reasonable opportunity to  
9           comment on the proposed statewide transportation plan;
- 10          (4) To the maximum extent practicable, ensure that public  
11          meetings are held at convenient and accessible  
12          locations and times;
- 13          (5) To the maximum extent practicable, use visualization  
14          techniques to describe the proposed statewide  
15          transportation plan and supporting studies;
- 16          (6) To the maximum extent practicable, make public  
17          information available in an electronically accessible  
18          format, as appropriate, to afford an opportunity for  
19          consideration of public information;
- 20          (7) Demonstrate consideration of and response to public  
21          input during the development of the statewide  
22          transportation plan;



1       (8) Include a process for seeking out and considering the  
2       needs of persons traditionally underserved by existing  
3       transportation systems, such as low-income and  
4       minority households; and

5       (9) Provide for the periodic review of the effectiveness  
6       of the public involvement process to ensure that the  
7       process provides full and open access to all  
8       interested parties and revise the process, as  
9       appropriate.

10       (b) The department of transportation, in its discretion,  
11       shall be responsible for determining whether to adopt any  
12       proposed changes to the statewide transportation plan as a  
13       result of the public involvement process. If a proposed change  
14       is not adopted, the department of transportation shall make  
15       publicly available its reasons for not accepting the proposed  
16       change.

17       (c) The director of transportation shall adopt rules in  
18       accordance with chapter 91, to effectuate the purposes of this  
19       section."

20       SECTION 2. New statutory material is underscored.

21       SECTION 3. This Act shall take effect upon its approval.

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