
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the department of
2 transportation is charged with the implementation of the bridge
3 rehabilitation and replacement program for bridges with a
4 sufficiency rating of less than eighty to be designed and
5 constructed. There are currently seven hundred fifty-six state-
6 owned bridges, of which two hundred fifty-six are functionally
7 obsolete and thirty-nine are structurally deficient.
8 Functionally obsolete bridges are defined as bridges with
9 geometric deficiencies such as a bridge being too narrow.
10 Structurally deficient bridges are defined as bridges with a
11 poor assessment of the structural condition of the bridge
12 including the waterway opening adequacy.

13 There are currently thirty bridges under the department of
14 transportation that are in the design phase that are planned for
15 rehabilitation and replacement, in addition to the Hana highway
16 bridge preservation plan, which needs to move forward for
17 construction, that are either functionally obsolete or
18 structurally deficient.



1 The purpose of this Act is to expedite construction
2 projects for the bridge rehabilitation and replacement program
3 by providing temporary exemptions from certain state and county
4 requirements.

5 SECTION 2. Beginning July 1, 2012, and ending June 30,
6 2017, the department of transportation and any of its
7 contractors shall be exempt from state requirements under the
8 following, but only to the extent necessary to expedite the
9 projects enumerated under section 3 of this Act:

- 10 (1) Chapter 6E, Hawaii Revised Statutes, historic
11 preservation;
- 12 (2) Part II of chapter 171, Hawaii Revised Statutes,
13 public lands;
- 14 (3) Chapter 174C, Hawaii Revised Statutes, state water
15 code;
- 16 (4) Chapter 180, Hawaii Revised Statutes, soil and water
17 conservation districts;
- 18 (5) Chapter 180C, Hawaii Revised Statutes, soil erosion
19 and sediment control;
- 20 (6) Chapter 183, Hawaii Revised Statutes, forest reserves,
21 water development, and zoning;
- 22 (7) Chapter 183D, Hawaii Revised Statutes, wildlife;



- 1 (8) Chapter 184, Hawaii Revised Statutes, state parks and
2 recreation areas;
- 3 (9) Chapter 195, Hawaii Revised Statutes, natural area
4 reserves system;
- 5 (10) Chapter 195D, Hawaii Revised Statutes, conservation of
6 aquatic life, wildlife, and land plants;
- 7 (11) Chapter 198D, Hawaii Revised Statutes, Hawaii
8 statewide trail and access system;
- 9 (12) Chapter 205, Hawaii Revised Statutes, land use
10 commission;
- 11 (13) Chapter 205A, Hawaii Revised Statutes, coastal zone
12 management;
- 13 (14) Chapter 341, Hawaii Revised Statutes, environmental
14 quality control;
- 15 (15) Chapter 342B, Hawaii Revised Statutes, air pollution;
- 16 (16) Chapter 342D, Hawaii Revised Statutes, water
17 pollution;
- 18 (17) Chapter 342E, Hawaii Revised Statutes, nonpoint source
19 pollution management and control;
- 20 (18) Chapter 342F, Hawaii Revised Statutes, noise
21 pollution;



- 1 (19) Chapter 343, Hawaii Revised Statutes, environmental
2 impact statements; and
3 (20) Chapter 344, Hawaii Revised Statutes, state
4 environmental policy.

5 SECTION 3. The following bridges and projects shall be
6 exempt from the requirements specified under section 2 of this
7 Act:

- 8 (1) Farrington highway, replacement of Maipalaoa bridge,
9 on Oahu;
10 (2) Farrington highway, replacement of Makaha bridges
11 numbers 3 and 3A, on Oahu;
12 (3) Kalaniana'ole highway, Inaole stream bridge
13 replacement, in Waimanalo, Oahu;
14 (4) Kamehameha highway, Kaipapau stream bridge, on Oahu;
15 (5) Kamehameha highway, Laieloa stream bridge, on Oahu;
16 (6) Kamehameha highway, Waiahole bridge replacement, on
17 Oahu;
18 (7) Hawaii belt road, Umauma stream bridge, on Hawaii;
19 (8) Kawaihae road, Waiaka stream bridge replacement and
20 realignment, on Hawaii;
21 (9) Hanoapiilani highway, Honolua bridge replacement,
22 vicinity of Honolua bay, on Maui;



- 1 (10) Waiehu beach road, Iao stream bridge rehabilitation,
2 vicinity of Wailuku, on Maui;
- 3 (11) Kamehameha V highway, Makakupaia stream bridge
4 replacement, on Molokai;
- 5 (12) Kaumualii highway, Omao bridge rehabilitation, on
6 Kauai;
- 7 (13) Kuhio highway, Kapaia bridge replacement, on Kauai;
- 8 (14) Kuhio highway, Waioli, Waipaa, and Waikoko stream
9 bridges replacement, on Kauai;
- 10 (15) Farrington highway, Ulehawa stream bridge, on Oahu;
- 11 (16) H-1 bridge rehabilitation, Halona stream bridge,
12 Kapalama canal, on Oahu;
- 13 (17) Kamehameha highway, Makaua stream bridge
14 rehabilitation, on Oahu;
- 15 (18) Kamehameha highway, Waipilopilo stream bridge
16 rehabilitation, on Oahu;
- 17 (19) Kamehameha highway, Kaluanui stream bridge
18 replacement, on Oahu;
- 19 (20) Kamehameha highway, south Kahana stream bridge
20 replacement, on Oahu;
- 21 (21) Kamehameha highway, upper Poamoho stream bridge, on
22 Oahu;



- 1 (22) Kamehameha highway, Waikane stream bridge, on Oahu;
- 2 (23) Hawaii belt road, Pahoehoe stream bridge replacement,
- 3 on Hawaii;
- 4 (24) Mamalahoa highway, Hilea bridge replacement, on
- 5 Hawaii;
- 6 (25) Kapule highway, Nawiliwili bridge replacement, on
- 7 Kauai;
- 8 (26) Kaumualii highway, bridge number 7E rehabilitation, on
- 9 Kauai;
- 10 (27) Kuhio highway, Kapaa stream bridge rehabilitation, on
- 11 Kauai; and
- 12 (28) Hana highway bridge preservation plan and projects, on
- 13 Maui.

14 SECTION 4. If the construction of a project granted an
15 exemption under this Act is not completed by June 30, 2017, the
16 governor may authorize in writing before that date the
17 continuation of construction of the project until completion.
18 If so authorized, the project shall continue to be exempt as
19 provided under this Act.

20 SECTION 5. If any part of this Act is found to be in
21 conflict with federal requirements that are a prescribed
22 condition for the allocation of federal funds to the State, the



1 conflicting part of this Act is inoperative solely to the extent
2 of the conflict and with respect to the agencies directly
3 affected, and this finding does not affect the operation of the
4 remainder of this Act in its application to the agencies
5 concerned. The rules under this Act shall meet federal
6 requirements that are a necessary condition to the receipt of
7 federal funds by the State.

8 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Transportation; Bridges; Exemptions

Description:

Exempts temporarily the department of transportation and its contractors from certain state requirements for certain bridge rehabilitation projects. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

