

STAND. COM. REP. NO.

2917

Honolulu, Hawaii

MAR 22 2012

RE: H.B. No. 2760
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Transportation and International Affairs,
to which was referred H.B. No. 2760, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the
Director of Transportation and the counties to restrict or
prohibit the use of mopeds on bikeways, bicycle lanes, and bicycle
paths, and prohibit the operation of a motor vehicle or commercial
motor vehicle while using a mobile electronic device.

Your Committee received testimony in support of this measure
from the Department of Transportation, Maui County Police
Department, Maui Bicycle Alliance, Blue Planet Foundation, and
four individuals.

Your Committee finds that this measure addresses safety
concerns of bicyclists and safety risks due to distracted driving
of all types of vehicles. This measure is consistent with federal
motor carrier safety regulations, which prohibit the use of mobile
electronic devices in commercial motor vehicles.

According to testimony of the Department of Transportation,
in a 2010 summer seat belt survey, of the 43,577 drivers observed,
733 drivers were observed using cell phones while driving,
representing 1.68 percent of drivers. These surveys showed a
sharp decline in usage from the 2.11 percent usage rate observed

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in 2009, when the first cell phone ordinance was enacted in Honolulu. Although there is a lack of information regarding the crash statistics, your Committee is confident that the mobile electronic device law has prevented further crashes and has saved lives and prevented injuries.

Your Committee has amended this measure by:

- (1) Exempting drivers operating a motor vehicle or commercial motor vehicle equipped with an electronic global position tracking system from the prohibition on mobile electronic devices;
- (2) Inserting "complete streets" language to allow:
 - (A) Budget and appropriation requests from the Department of Transportation for highway design to incorporate the complete streets policy;
 - (B) New highways to be engineered to maximize the safety of pedestrians; and
 - (C) Roundabouts to be installed;
- (3) Inserting the contents of H.B. No. 101, H.D. 2, Regular Session of 2012, which prohibit the transport of certain bicycles on buses in the public transportation system and add certain electric motor-powered bicycles to the definition of "bicycle" under the Statewide Traffic Code;
- (4) Amending the definition of "bicycle" in chapter 249, Hawaii Revised Statutes, relating to county vehicular taxes;
- (5) Specifying in section 291C-123, Hawaii Revised Statutes, that the Director of Transportation and the counties shall prohibit, not just restrict, the use of bikeways by mopeds, just as the use of mopeds is prohibited on bicycle paths and bicycle lanes pursuant to section 291C-197, Hawaii Revised Statutes; and
- (6) Changing the effective date to upon approval.



As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2760, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2760, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,


J. KALANI ENGLISH, Chair



