
A BILL FOR AN ACT

RELATING TO BICYCLES.

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

1 SECTION 1. Section 264-18, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§264-18 Use of highway fund for bikeways.** (a) [~~Out of~~
4 ~~the state~~] State highway fund amounts, whether state funds or
5 federal funds, shall be expended as necessary by the State for
6 the establishment of bikeways; provided that bikeways shall be
7 established, whenever practicable, wherever a new or existing
8 highway, road, or street is being designed, planned,
9 constructed, reconstructed, relocated, or rehabilitated.

10 **(b)** At least two per cent of eligible federal funds, and
11 in addition, other state highway fund moneys as available, shall
12 be expended to:

13 (1) Establish multi-use paths, bicycle paths, and bicycle
14 lanes; and

15 (2) Install signage and safety devices along bikeways;

16 provided that the department of transportation shall include the
17 bicycling community in a public involvement process to determine



1 the location of multi-use paths, bicycle paths, bicycle lanes,
2 and installation of signage and safety devices along bikeways.

3 (c) Planning for any mass transit system shall include
4 appropriate accommodation for bicycle lanes, bikeways, and
5 bicycle routes, including bicycle racks on mass transit
6 vehicles, to enable mass transit users to connect conveniently
7 by bicycle to transit stations and bus stops[~~—This~~]; provided
8 that this subsection shall not be construed [~~as requiring~~] to
9 require the expenditure of a county surcharge on state tax under
10 section 46-16.8, on bicycle paths if the application of this
11 subsection conflicts with section 46-16.8.

12 [~~(b) Bikeways are not required to be established under~~
13 ~~subsection (a):~~] (d) Subsection (a) shall not require
14 establishment of bikeways:

- 15 (1) Where the establishment of the lanes, paths, routes,
16 and ways would be contrary to public safety; [~~or~~]
17 (2) If the cost of establishing the lanes, paths, routes,
18 and ways would be excessively disproportionate to the
19 need or probable use; or
20 (3) Where low population density, other available ways, or
21 other factors indicate an absence of any need for the
22 lanes, paths, routes, and ways[~~+~~].



1 ~~[provided that the]~~

2 (e) The department of transportation shall ~~[involve]~~
3 consult with representatives of the bicycling community, such as
4 the Hawaii Bicycling League, Kauai PATH, Maui Bicycling
5 Alliance, PATH (Big Island), and others, in making a
6 determination under ~~[paragraphs (1), (2), and (3); provided~~
7 ~~further that any]~~ subsection (d). Any decision made under
8 ~~[this]~~ subsection (d) shall be documented, including but not
9 limited to~~[7]~~ the factors considered in making a decision~~[7]~~,
10 and ~~[provided further that]~~ the department of transportation
11 shall have the burden of persuasion under ~~[paragraphs (2) and~~
12 ~~(3)]~~ subsection (d) (2) and (d) (3). Whenever the department of
13 transportation determines that establishment of bikeways as
14 required by subsection (a) is not practicable for the reasons
15 set forth in subsection (d), the department shall also consult
16 with the bicycling community to identify an alternative bikeway
17 project or projects, which shall be established using the funds
18 that would otherwise have been expended pursuant to subsection
19 (a).

20 ~~[-e)]~~ (f) The department of transportation, when
21 requested, shall provide technical assistance and advice to
22 counties in carrying out the purpose of this section. The



1 department of transportation shall recommend construction
2 standards for bikeways. The department of transportation, in
3 the manner prescribed for marking highways under section 264-25,
4 shall provide a uniform system of marking and signing such
5 lanes, paths, routes, and ways which shall apply to lanes,
6 paths, routes, and ways under the jurisdiction of the department
7 of transportation and the counties. Notwithstanding any
8 provision to the contrary, the department of transportation and
9 the counties may restrict the use of the lanes, paths, routes,
10 and ways to pedestrians and non-motorized vehicles.

11 [~~(d)~~] (g) As used in this section, the terms "bikeway",
12 "bicycle path", and "bicycle lane" shall have the same meaning
13 as in section 291C-1.

14 [~~(e)~~] (h) The department of transportation shall report
15 annually to the legislature before the convening of each regular
16 session as to bikeway expenditures and current projects. The
17 report shall also:

18 (1) Identify any instances in which it was determined
19 pursuant to subsection (d) that establishing the
20 bikeways required by subsection (a) was not
21 practicable;



- 1 (2) State the reasons for the determination, supported by
- 2 specific factual information; and
- 3 (3) List the alternative bikeway project or projects
- 4 identified in consultation with the bicycling
- 5 community and the current status of that project or
- 6 projects."

7 SECTION 2. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY: Michelle E. Lowen

Dr. [Signature]

Cindy Evans

Melanie Cannon

Dr.

Karen Lusvardi

Tom Brown

T. Stah

[Signature]

John M. [Signature]

[Signature]

[Signature]

Kal Rhoads
Jeana A. Beletti



H.B. NO. 1080

Report Title:

Bike Lanes

Description:

Requires the department to identify, fund, and establish alternative bikeway projects when establishment of bikeways on new or reconstructed roads is not practicable. Requires report.

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

