
A BILL FOR AN ACT

RELATING TO ADEQUATE HIGHWAY REQUIREMENTS.

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

1 SECTION 1. The legislature finds that traffic congestion
2 on the H-1 freeway is listed in some studies as among the worst
3 in the United States. At some times in some sections of the
4 freeway, it is the worst in the nation.

5 The legislature also finds that environmental impact
6 studies conclude that when all of the housing projects now
7 planned for leeward and central Oahu are fully built, even with
8 rail, traffic flow on the freeway will be reduced to level of
9 service "F" at the majority of studied intersections on the H-1
10 freeway. Level of service "F" is described as "standstill" and
11 "gridlock".

12 The legislature further finds that leeward and central Oahu
13 commuters are spending more than one hour each way traveling the
14 roughly twenty miles to and from their workplace, and that Oahu
15 Metropolitan Planning Organization studies show that this travel
16 time will increase between one-half hour and one hour in each
17 direction over the next twenty years even with rail.



1 The negative impact on quality of life of Hawaii's citizens
2 caused by this additional commuting time is unacceptable. It
3 will hurt family life, workplace productive levels, and personal
4 well-being.

5 SECTION 2. Chapter 264, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§264- Adequate highway capacity requirement. (a) The
9 transportation system of each county shall provide adequate
10 highway capacity for major peak-hour commuting to work in county
11 business districts.

12 (b) Beginning on the effective date of this Act, no new
13 subdivision or housing development project shall commence above-
14 ground construction in a county until the director of
15 transportation certifies to the governor that adequate highway
16 capacity exists for major peak-hour commuting to work in the
17 county's business district; provided that adequate capacity
18 shall be at a minimum of level of service D.

19 (c) For purposes of this section:

20 "Business district" shall have the same meaning as in
21 section 291C-1.



1 "Level of service D" means a level of service that
 2 approaches unstable flow with tolerable operating speeds being
 3 maintained, though considerably affected by changes in operating
 4 conditions. At this level of service, drivers have little
 5 freedom to maneuver, and comfort and convenience are low;
 6 however, these conditions can be tolerated for short periods of
 7 time.

8 "New subdivision or housing development project" means any
 9 housing project that has yet to begin above-ground physical
 10 construction of housing."

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: Fide F. Zubonilla
Kalleu Aranda
Dejhaustan
Calvin M. Boy
JM

H.B. NO. 1357

Report Title:

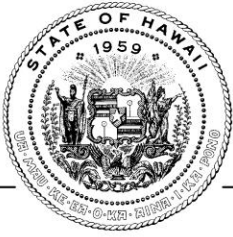
Adequate Highway Capacity Requirement; Highways; Housing

Description:

Requires the director of transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum of level of service D before any construction of a new subdivision or housing development project can commence in the county.

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





DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

NEIL ABERCROMBIE
GOVERNOR
RICHARD C. LIM
DIRECTOR
MARY ALICE EVANS
DEPUTY DIRECTOR
JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON TRANSPORTATION
Wednesday, February 6, 2013
11:20 AM
State Capitol, Conference Room 309

in consideration of
HB 1357
RELATING TO ADEQUATE HIGHWAY REQUIREMENTS.

Chair Yamane and Vice Chair Ichiyama, and Members of the House Committee on Transportation.

The Office of Planning offers the following comments on HB 1357, which requires the director of the State Department of Transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum of level of service D before any construction of a new subdivision or housing development project can commence in the county.

This bill is effectively a moratorium on development. Section 2 of the bill creates a new section under Hawaii Revised Statutes Chapter 264, which is the chapter related to highways. The new section is entitled, "Adequate highway capacity requirement." Subpart (b) of the new section provides that "no new subdivision or housing development project shall commence above-ground construction in a county until the director of transportation certifies to the governor that adequate highway capacity exists for major peak-hour commuting to work in the

county's business district; provided that adequate capacity shall be at a minimum of level of service D.”

Under the current statewide planning and land use system, infrastructure planning occurs at both the state and county levels based on forecasted population and planned development.¹ Often, the critical need for housing (affordable and market) outpaces the county and state's ability to fund infrastructure. However, stopping the private and public sector from providing housing would do more harm to the people of Hawaii, than the inconvenience of being stuck in traffic. There are many middle-class, working families who would rather be stuck in traffic in Hawaii, than living in a larger state where they must commute an hour or more from low cost suburbs to jobs in metropolitan areas.

The Office of Planning recommends that in lieu of this bill, the legislature promotes and supports tools that will take the burden off of our state and county roads and highways. First, the legislature could support initiatives that promote growth that is consistent with the smart growth principles for community design adopted by the U.S. Environmental Protection Agency, Department of Housing and Urban Development, and Department of Transportation.² The ten smart growth principles are (1) Mix land uses; (2) Take advantage of compact building design; (3) Create a range of housing opportunities and choices; (4) Create walkable neighborhoods; (5) Foster distinctive, attractive communities with a strong sense of place; (6) Preserve open space, farmland, natural beauty, and critical environmental areas; (7) Strengthen and direct development towards existing communities; (8) Provide a variety of transportation choices; (9) Make development decisions predictable, fair, and cost effective; (10) Encourage community

¹ See HRS Chapters 46, 205, and 226.

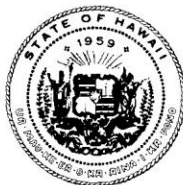
² HUD-DOT-EPA Partnership for Sustainable Communities, U.S. EPA, at <http://www.epa.gov/dced/partnership> (last visited, Feb. 2, 2013).

and stakeholder collaboration in development decisions.³ Our statewide land use and planning policies are infused with these principles.

Second, the legislature could support mechanisms that enable the state and counties to realize the above smart growth principles. These mechanisms might include allowing the state and counties to (1) access alternative public financing tools, (2) more freely use public private partnerships to deliver public infrastructure, and (3) entertain unsolicited proposals. With the proper framework to protect the public's interest, these tools can help deliver certain public infrastructure, goods, and services at reduced cost and risk to the state and counties.

Thank you for the opportunity to testify on this measure.

³ About Smart Growth, U.S. EPA, at http://www.epa.gov/dced/about_sg.htm (last visited, Feb. 2, 2013).



STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:

WRITTEN ONLY

Statement of
Karen Seddon
Hawaii Housing Finance and Development Corporation
Before the

HOUSE COMMITTEE ON TRANSPORTATION

February 6, 2013 at 11:20 a.m.
State Capitol, Room 309

In consideration of
H.B. 1357
RELATING TO ADEQUATE HIGHWAY REQUIREMENTS.

The HHFDC ***opposes*** H.B. 1357 because it would impose yet another barrier to the development of affordable housing. H.B. 1357 prohibits any new subdivision or housing development in a county unless the county's transportation director certifies that there is adequate highway capacity for peak rush hour community to the county's business district.

According to the Hawaii Housing Planning Study, 2011, there is an unmet need of over 24,000 affordable housing units statewide over the next five years. The moratorium set forth in this bill would have a significant detrimental impact on efforts to address this unmet need.

The HHFDC supports smart growth and appropriate planning to address transportation infrastructure needs in the residential development process. However, we do note that residential developers already must work with State and County transportation departments to satisfy permit requirements for addressing traffic impacts before their projects can proceed.

Thank you for the opportunity to provide written comments on this bill.



**Testimony to the House Transportation
Wednesday, February 6, 2013
11:20 a.m.
State Capitol - Conference Room 309**

RE: HOUSE BILL NO. 1357, RELATING TO ADEQUATE HIGHWAY REQUIREMENTS

Chair Yamane, Vice Chair Ichiyama, and members of the committee:

The Chamber of Commerce of Hawaii **opposes H.B. 1357** which would amend Chapter 264 HRS and require the director of transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum of level of service D before any construction of a new subdivision or housing development project can commence in the county.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The bill proposes to penalize any new housing project (possibly individual home construction) by prohibiting construction unless the Governor receives certification from the Director of DOT that the highway capacity is at a minimum, Level of Service D.

It would appear that the legislature is unfairly focusing on any new development that may be viewed as contributing to the traffic situation, when in fact, it is governments' responsibility to plan, fund and construct regional backbone infrastructure such as roads, sewer systems, and potable water systems based on population projects, and land use planning. Shifting the responsibility for the lack of public regional infrastructure capacity from the government to the private parties shows a lack of understanding of governments' role in land use planning and infrastructure capacity building.

The real question is why government infrastructure capacity building is still inadequate considering the level of control both State and Local Government imposes on land use planning and future growth. Perhaps focusing on the underlying root of the problem instead of reacting to the symptoms of the problem will provide for a meaningful discussion to address the infrastructure capacity issues we all face.

Thank you for the opportunity to express our views on this matter.



Testimony of Cindy McMillan
The Pacific Resource Partnership

House Committee on Transportation
Representative Ryan I. Yamane, Chair
Representative Linda Ichiyama, Vice Chair

HB 1357 – Relating to Adequate Highway Requirements
Wednesday, February 6, 2013
11:20 am
Conference Room 309

Aloha Chair Yamane, Vice Chair Ichiyama and Members of the Committee:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP **strongly opposes** HB 1357 – Relating to Adequate Highway Requirements. This measure requires the Director of Transportation to certify to the Governor that adequate highway capacity exists in a county's business district at a minimum of level of service D before any construction of a new subdivision or housing development project can commence in the county.

PRP understands the frustration of commuters who experience traffic congestion on the H-1 freeway, reportedly the worst in the nation, and other congested roadways on Oahu. However, requiring a level of service D or better before any housing is built in the City and County of Honolulu would have extremely negative consequences.

Regulation of this type does not lessen the demand for much-needed housing. It merely defers construction. Regulation decreasing the supply of housing results in an inevitable increase in market price.

We are already beginning to see a spike in home prices because of a limited supply of inventory. In August 2012, the University of Hawaii Economic Research Organization predicted that the median Oahu home price will reach almost \$800,000 in three years. Economist Paul Brewbaker noted that this is due to rising demand and inadequate supply.

Working families and young families just starting out – those who can least afford an increase in housing costs – will bear the brunt of a moratorium on new housing. HB1357 will have unintended

consequences that could see the exodus of the most productive members of our workforce who will no longer be able to afford to live in Honolulu.

In addition, a moratorium on new housing will have a disastrous effect on the construction industry. While the visitor industry has experienced a record-breaking surge in activity, the construction industry has yet to recover from the global economic downturn. In this environment, the regulations proposed in HB 1357 will have a chilling impact on the industry when what it needs is a boost in order to spur responsible development.

For these reasons, we respectfully request that you hold HB 1357 in committee. Mahalo for the opportunity to share our views on this matter.

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 5:14 PM
To: TRNtestimony
Cc: tony@rmasalesco.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/4/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Borge	RMA Sales	Oppose	No

Comments: We are opposed to HB 1357 for the following reasons: The government is responsible for the planning, funding of basic infrastructure i.e. roads, sewer systems etc. The proposed bill is not needed if the government has done its job of providing these basic services for the well being of future generations. I would like to believe that the government has provide us with the foresight in planning and infrastructure to meet with the current and future demands of building new housing for the people of this great State. Respectively submitted by: Anthony Borge

Please note that testimony submitted less than 24 hours prior to the hearing , improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



February 4, 2013

Representative Ryan I. Yamane, Chair
Representative Linda E. Ichiyama, Vice Chair
House Committee on Transportation

Testimony in Opposition to HB 1357 Relating to Adequate Highway Requirements.

Wednesday, February 6, 2013, 11:20 a.m., in House Conference Room 309

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

HB 1357. This bill proposes to require the director of transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum level of service D before any construction of a new subdivision or housing development can commence in the county.

LURF's Position. Consistent with objections and concerns made in the past relating to similar, proposed legislation imposing what are essentially moratoriums on development (such as arbitrarily imposed mandates or assessed impact fees), which are often groundlessly prompted in response to any new and upcoming housing project, LURF maintains the position that the proponents of this bill are once again unreasonably targeting private developers and unfairly requiring them to assume the government's role and responsibility of planning, funding, and constructing infrastructure (including traffic) as mandated under the current statewide planning and land use system .

- **Government approvals required for development/housing projects already take into account necessary infrastructure improvements, including traffic.**

Traffic impacts and mitigation are already thoroughly addressed through the governmental land use approval process, including the preparation of Environmental Assessments and Environmental Impact Statements; the preparation of various traffic consultant reports and required Traffic Impact Analysis Reports; and the conditions, requirements imposed in connection with land use approvals, including, but not limited to, State Land Use Commission district boundary amendments, county zoning and subdivision.

- **The director of transportation would be unable to fairly and accurately certify the existence of adequate highway capacity at service level D in any given business district as required by the proposed bill.**

As a practical matter, it would arguably be impossible for the director of transportation to fairly and accurately issue the certification required by the proposed measure given the ambiguity of each traffic study which could have differing results based on subjective assumptions required for such analyses.

Moreover, it is understood that at present, traffic at certain segments on the freeway and highways may already operate at an even lower Level F, which raises additional questions as to whether developers in such cases would be required to assume the responsibilities of the government to address and remedy roadway capacity problems and issues that already exist prior to the proposed development.

- **Since planned improvements are developed over an extended period of time, the installation of infrastructure improvements and the timing thereof are based on government priorities, necessity, and as the demand arises.**

With this bill, focus is irrationally placed on the adequacy of present highway capacity in a given district regardless of whether the projects being developed currently contribute, or will ever in any way contribute to highway traffic in that area.

- **New and future developments which include alternate forms and routes of transportation may likely not even require the same level of service required under this proposed measure.**

The fact that the proponents of this bill attempt, through this measure, to push the government's infrastructure planning and funding responsibilities onto private developers – the very parties which are working to plan and build projects which will employ Transit Oriented Development (“TOD”) and employ multiple transportations modes (rail, bikeways, pedestrian walkways, etc.), which minimize infrastructure costs, is an indication of the proponents' failure to identify, understand, and address current and future planning concepts and needs.

- **This bill conflicts with principles of Smart Growth already adopted by federal agencies and encompassed in statewide land use and planning policies.**

Ironically, the clear intent of this bill is to attempt to stop or obstruct new development projects which are intended to allow people to live closer to their workplaces, or to provide jobs where they live, in order to lessen highway capacity. These new projects are also TOD-friendly, meaning that they are convenient to, and have access to rail or bus lines.

In short, the economic impacts of HB 1357 could be detrimental in on many levels. The supply of housing will not meet demand resulting in increased home prices which in turn, will affect the ability to purchase or rent a home. As a result, affordable housing, businesses (especially in growth areas), the construction industry, and unemployment may all be significantly affected. Given the above, LURF must respectfully **oppose this bill** and requests that it be **held in Committee**.

Thank you for the opportunity to provide comments and concerns relating to this measure.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

"Building Better Communities"

2013 Officers

President

Greg Thielen
Complete Construction Services Corp.

President-Elect

Brian Adachi
BKA Builders, Inc.

Vice President

Sunny Walsh
Hunt Building Company, Ltd.

Treasurer

Guy J. Shindo
First Hawaiian Bank

Secretary

Richard Hobson, Jr.
Gentry Homes, Ltd.

Special Appointee-Builder

Paul D. Silen
Hawaiian Dredging Construction Co., Inc.

Special Appointee-Associate

Craig Washofsky
Servco Home & Appliance Distribution

Immediate Past President

Dean I. Asahina
Universal Construction, Inc.

Chief Executive Officer

Karen T. Nakamura
BIA-Hawaii

2013 Directors

Anthony Borge

RMA Sales

Clifton Crawford

C&J Contracting, Inc.

David S. Chang

Chang Holding Company

Dean Uchida

SSFM International, Inc.

Evan Fujimoto

Graham Builders, Inc.

Gary T. Okimoto

Honolulu Wood Treating

Mark Kennedy

HASEKO Construction Kamakana, LLC

Marshall Hickox

Homeworks Construction, Inc.

Michael Watanabe

JW, Inc.

Ryan Engle

Bays Lung Rose & Holma

Scotty Anderson

Pacific Rim Partners

W. Bruce Barrett

Castle & Cooke Homes Hawaii, Inc.

Testimony to the House Committee on Transportation Wednesday, February 6, 2013

11:20 a.m.

State Capitol - Conference Room 309

RE: H.B. 1357, RELATING TO ADEQUATE HIGHWAY REQUIREMENTS

Dear Chair Yamane, Vice-Chair Ichiyama, and members of the Committee:

My name is Gladys Marrone, Director of Government Relations for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. BIA-Hawaii promotes its members through advocacy and education, and provides community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization, chartered in 1955, and affiliated with the National Association of Home Builders.

BIA-Hawaii **opposes** H.B. 1357, which would amend Chapter 264, HRS, and require the director of transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum level of service D before any construction of a new subdivision or housing development project can commence in the county.

The bill proposes to penalize any new housing project (possibly individual home construction) by prohibiting construction unless the Governor receives certification from the Director of DOT that the highway capacity is at a minimum, Level of Service D.

It would appear that the legislature is unfairly focusing on any new development that may be viewed as contributing to the traffic situation, when in fact, it is governments' responsibility to plan, fund, and construct regional backbone infrastructure such as roads, sewer systems, and potable water systems based on population projects and land use planning. Shifting the responsibility for the lack of public regional infrastructure capacity from the government to the private sector shows a lack of understanding of government's role in land use planning and infrastructure capacity building.

The real question is why government infrastructure capacity building is still inadequate considering the level of control both State and local government imposes on land use planning and future growth. Perhaps focusing on the underlying root of the problem, instead of reacting to the symptoms of the problem, will provide for a more meaningful discussion to address the infrastructure capacity issues we all face.

Thank you for the opportunity to express our views on this matter.

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

February 6, 2013

TO: HONORABLE RYAN YAMANE, CHAIR, HONORABLE LINDA ICHIYAMA, VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON TRANSPORTATION

SUBJECT: **OPPOSITION TO H.B. 1357, RELATING TO ADEQUATE HIGHWAY REQUIREMENTS.** Requires the director of transportation to certify to the governor that adequate highway capacity exists in a county's business district at a minimum of level of service D before any construction of a new subdivision or housing development project can commence in the county.

HEARING

DATE: Wednesday, February 6, 2013
TIME: 11:20 a.m.
PLACE: Conference Room 309

Dear Chair Yamane, Vice Chair Ichiyama and Members:

The General Contractors Association (GCA) is an organization comprised of over six hundred general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

The GCA is **opposed** to the passage of H.B. 1357, Relating to Adequate Highway Requirements, which proposes to task the Department of Transportation with certifying that adequate highway capacity exists in a county's business district before allowing any new subdivision or housing development. The GCA is opposed to this measure because it proposes a requirement that may be outside of DOT's jurisdiction and would result in a possible moratorium for any per se "new subdivision or housing development," particularly planned affordable housing projects statewide.

First, the Department of Transportation may not be equipped nor have the capacity to conduct a level of service study on every highway considered a county business district. It is our understanding that the Levels of Service analysis is usually required by the proposer of a particular development project using the Level of Service standards defined by the *Highway Capacity Manual*. Such a highly analytical report measuring such levels of service is typically provided in the Traffic Impact Analysis Report (TIAR) which accurately studies a particular road, highway or a potentially affected corridor which may be affected by new development. In such a report, all types of factors are considered and traffic mitigation measures are concluded. Thus, not only is the Department of Transportation is not the adequate body to conduct such analysis, but procedures already exist that conduct such an analysis and traffic mitigation tools.

Secondly, this measure proposes an almost impossible litmus test for any future housing development, potentially threatening the ability to erect any vertical construction. It is detrimental to pass this type of legislation as the county and state permitting processes already provide significant traffic mitigating requirements to address such concerns.

Thank you for this opportunity to provide our views on this measure.

House of Representative
The Twenty-Seventh Legislature
Committee on Transportation
February 6, 2013, 11:20 a.m.
Conference Room 309

Statement of the Hawaii Regional Council of Carpenters on HB 1357
Relating to Adequate Highway Requirements

The Carpenters Union evaluation of HB 1357 is that it would be bad law, and should not be passed out of Committee.

It prohibits the delivery of new housing, whether it be to serve high, middle or low income households, for sale or rental, government assisted, Hawaiian Homes, elderly, etc. This would be no matter the need, or the existence of favorable conditions, and would be based on traffic conditions stemming from varied causes, in varied locations, that may or may not be connected to new housing starts.

The need for housing across varied price ranges remains great in all counties. Certain housing proposals are planned with reducing commuting in mind.

The State may be faced with claims of a “taking”, with no connection or path to a public benefit shown in the Bill

HB 1357 should not be passed by the Committee on Transportation.

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 8:16 AM
To: TRNtestimony
Cc: oahurandy@yahoo.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/5/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	Yes

Comments: We need to preserve our farmland, especially the prime ag land. And the traffic on Oahu is now the worst in the U.S. (per capita). These two issues are related. We have too much traffic because we sprawled all over the island and paved over our farmland. Let's preserve our farmland. Please move this bill forward to WAL. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Sheila Valdez
94-010 Leolua Street C203
Waipahu, HI 96797

To: Transportation Committee

The noise of traffic is right out my window 24/7. Traffic starts at 4am, tires on the road zooming by is my alarm clock, traffic peaks from 5:00am to 7:30am, causing me imminent harm to my quality of life. Morning gridlock causes a deadlock leaving out of Ewa on Fort Weaver Rd. and Kunia Road. Many mornings cars move by inches out my window, fumes of gasoline and diesel fuel surrounds my apartment and no where to escape the disturbing smells. There is a definite impact to my health and daily life. I have to vacuum my ceiling constantly because of the black dust that smoothers my bedroom and apartment. I'm plagued by allergies, interrupted and sleepless nights. There is no peace and comfort in my own home, when I want to be still, all I hear is tires on the road, when watching tv, the volume has to be turned up so loud to hear it over the traffic. Kunia Rd. is a thoroughfare for emergency vehicles, sirens blow any hour of the night regardless of traffic flow.

No new subdivisions is needed in the Honouliuli ahupua'a. Traffic is to it's capacity, I live it everyday.

Please pass HB 1357

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 8:01 PM
To: TRNtestimony
Cc: barb@punapono.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/4/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Cuttance	Individual	Support	No

Comments: I strongly support HB1357. Please pass this important Bill 14/266 Papaya Farms Road, Paho, Hawaii 96678

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 7:01 PM
To: TRNtestimony
Cc: atchesond@gmail.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/4/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
David Atcheson	Individual	Support	No

Comments: Dear Representatives, Even with rail, traffic on H1 is expected to come to a virtual standstill within 7 years assuming planned housing developments are built. This is untenable. I find HB 1357 to be sensible legislation to avert gridlock and preserve the sanity of Leeward and Central Oahu commuters. I support passage of this bill. Thank you for your consideration. David Atcheson

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 4:29 PM
To: TRNtestimony
Cc: clk5356@gmail.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/4/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn L Knoll	Individual	Support	No

Comments: This bill is definitely a step in the right direction on limiting unchecked development.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 9:18 AM
To: TRNtestimony
Cc: nancyhedlund@yahoo.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/5/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Hedlund	Individual	Support	No

Comments: Please move this bill forward out of committee so appropriate debates and considerations by the legislature and the public may take place. This bill is an important part of our deliberations on the merits and costs of developer's proposals, especially when they will get the profits and the public will get the costs including the traffic and safety problems. Thank you very much.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: Nimboy44@aol.com
Sent: Tuesday, February 05, 2013 10:54 AM
To: TRNtestimony
Subject: House Bill 1357

Aloha,

on a regular basis traffic on the Kamehameha Highway on the North Shore is already more than our Highway can support, causing major delays.

A regular Haleiwa to Pupukea trip of 15 minutes can take an hour or more.

We need House Bill 1357 to be passed to ensure that no further development can take place on the North Shore, or areas that will affect North Shore traffic, until there is an agreed on realistic plan to mitigate the additional traffic that the new development will generate and, importantly, funding provided for whatever needs to be done.

This will also ensure that the "fair share" for the developer to pay is indeed fair.

The Neighborhood Board/s of the district/s affected should be given a presentation of any recommended plan and an opportunity to comment before it is accepted.

Thank you for your attention.

Bill Quinlan

58-115 Napoonala Place

Haleiwa

HI 96712.

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 10:41 AM
To: TRNtestimony
Cc: pamelaboyar@gmail.com
Subject: *Submitted testimony for HB1357 on Feb 6, 2013 11:20AM*

HB1357

Submitted on: 2/5/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Boyar	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: Pueonani@aol.com
Sent: Tuesday, February 05, 2013 10:44 AM
To: TRNtestimony
Subject: HB 1357 Traffic

Feb. 5, 2013

Dear Transportation Committee, please accept below as our testimony...

Dear House Representatives:

A lot of us in the Leeward area have felt the adverse impact of developers bolting on projects and leaving the existing residents left with the traffic and infrastructure problems. For example, some fifteen year ago we moved to upper Makakilo, then considered a far drive to town, but at least was not overly congested. Over the years development has boomed and traffic congestion has gotten exponentially worse. This suggests that the DOT and other powers that be either did not plan and execute well for increased traffic volume. Or, collectively the transportation planners have condoned traffic increases as something that everyone should have to expect and live with. Hours in traffic wastes time and money on gas. It also erodes quality of life and it is already intolerable with Oahu's dubious distinction of having the worst traffic in the United States. Future big development projects (e.g. Hoopii) would make traffic much worse, even with rail.

We are not against development, however, prudent, effective traffic mitigations must be done in advance before allowing further development. HB 1357 would at least place some accountability with our executive branch to do the thorough analysis and homework to implement effective long term traffic mitigations. While developers and labor special interests will push hard for their short sighted gains, it is the long term planning (and execution) that must prevail. We ask you to please stand tall for the greater good of the community and support HB 1357. If you do not support it, we would like to know your alternative plans to mitigate choke neck traffic now and for the future. This plan should be real mitigation, not the ineffective band aids and bolt on's that have happened to date.

Respectfully,

Dennis and Edith Tingey
92-1299 Pueonani St
Kapolei, HI

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 10:22 AM
To: TRNtestimony
Cc: madeline_neely@yahoo.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/5/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Madeline C Neely	Individual	Support	No

Comments: Aloha; Chair Rida Cabanilla; Vice-Chair Justin Woodson: House Committee on Housing; and Chair Ryan Yamane; Vice-Chair Linda Ichiyama: House Committee on Transportation: I am in support of HB1357. I think the County planning Department, Honolulu City Council and the Hawaii State Department of Transportation need to be in coordination regarding the narrow two lane highway along the windward coast before any government approval of such major development proposal such as the 220 room Marriott Hotel, as well, as the Turtle Development in rural communities on the scenic windward coast. Mahalo for allowing me to submit testimony. Madeline C. Neely

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 10:33 AM
To: TRNtestimony
Cc: derek.lindes@gmail.com
Subject: Submitted testimony for HB1357 on Feb 6, 2013 11:20AM

HB1357

Submitted on: 2/5/2013

Testimony for TRN on Feb 6, 2013 11:20AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Derek Lindes	Individual	Support	No

Comments: I am humbly asking you as a citizen to hold a hearing for HB 1357 and to support it. Rampant over-developing is still barreling ahead. We've begged you to save our farmlands, as even if you have "affordable housing," they still have to be able to eat. With more people and less land, it will be much harder for everyone (as "everyone" became more people) to survive. It seems like that's not a good enough reason still, somehow. Perhaps because we are so disconnected from our food source; out of sight out of mind. A more palpable problem is TRAFFIC. That's one issue that everyone can relate to and visualize. We must make projects accountable for their impact. Developments have HUGE IMPACTS! on the entire earth. There is less ground to absorb and secrete water, temperature and runoff increase etc. Also, more CARS! We will be completely stuck on our already overused highways. This is a small island with limited resources. When will we realize this! Again, if that is too abstract, look at our roads. There is a finite amount of lanes and capacity. We have to reach a sustainable stasis, not constant blind ravaging of land and careless waste and huge ignored side effects. Mahalo for your time and kokua

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

ichiyama1 - Tate

From: Danielle Bass on behalf of Rep. Ryan Yamane
Sent: Tuesday, February 05, 2013 12:26 PM
To: TRNtestimony
Subject: FW: House Bill 1357

-----Original Message-----

From: jason@bem-inc.net [mailto:jason@bem-inc.net]
Sent: Tuesday, February 05, 2013 12:22 PM
To: Rep. Rida Cabanilla; Rep. Linda Ichiyama; Rep. Justin Woodson; Rep. Ryan Yamane
Subject: House Bill 1357

House Committee on Transportation
Rep. Ryan Yamane, Chair
Rep. Linda Ichiyama, Vice-Chair

Aloha Committee Chairs Yamane and Cabanilla, and Vice-Chairs Ichiyama and Woodson:
I am writing to ask you to schedule a public hearing for HB 1357 by Wednesday so that it can continue to be discussed and improved in this legislative session.
This bill will improve highway planning because it requires the Director of the Department of Transportation to take a hard look at projected impacts of new subdivision and housing developments; and it ensures that County planning decisions will be made with a commitment to adequate state highway infrastructure and upgrades, when needed.
There is a major disconnect between county planning and state highway impacts. This bill is worth exploring. Please schedule HB1357 for hearing.
Respectfully,
Jason Blair

jason@bem-inc.net
p.o. box 1687
Kamuela 96743



5 Feb 2013

From Dean Kalani Capelouto

To Hawaii State House Committee on Transportation



Subject: House Bill 1357

Getting our infrastructure in place, prior to considering any new construction, is good for consumers, businesses, individual's quality of life, and keeps our price of paradise from rising out of control. From a personal perspective, this is an important bill to people with companies like mine, Oahu Express, who lose money because our trucks are stuck in traffic on the freeways, or are forced to pass on the costs of excess labor, fuel, and other delays caused by improper planning for growth.

Please accept my testimony in full support of HB 1357.

Aloha,

Dean Kalani Capelouto

Owner, VP, Ops Manager

Oahu Express, Ltd.



99-134 Waiua Way • Aiea, Hawaii 96701
Phone: 808-487-9041 • Fax: 808-488-6481
Island Toll Free: 1-800-644-2882
E-mail: sales@rmasalesco.com
Website: www.rmasalesco.com

February 5, 2013

**Testimony to the Senate Committee on Commerce and Consumer Protection
Wednesday, February 6, 2013
9:00am
Capitol, Room 229**



RE: S.B. 1077, RELATING TO THE OWNER-BUILDER EXEMPTION

Dear Chair Baker, Vice-Chair Galuteria, and members of the Committee,

RMA Sales **strongly supports** S.B. 1077, which proposes to set forth specific responsibilities of, and protections for, owner-builders exempted under Chapter 444, Hawaii Revised Statutes (HRS). S.B. 1077 will: 1) strengthen RICO's ability to monitor and prosecute violations involving owner-builder construction projects; 2) increase protections for owner-builders as well as workers; and 3) ensure that appropriate taxes, including the GET, are paid to the State.

The owner-builder exemption was established, and intended, for legitimate circumstances where homeowners had the requisite ability, time, and inclination to save money by performing their own home improvements and construction.

An owner-builder becomes the general contractor responsible for compliance with the regulations of federal, state, and county laws that govern construction: OSHA, EPA, taxes, insurance, etc. Violations of these regulations result in heavy fines levied by the respective agencies. The owner-builder is also liable for all persons who enter their project site. However, Many homeowners are ill-advised by unlicensed contractors to obtain an owner-builder permit so the owner can hire or contract with an unlicensed contractor.

The hiring of an unlicensed contractor results in millions of dollars in lost GET because payment is almost always made in cash. Workers who are hired for cash wages are not provided mandated employee benefits, such as workers compensation and insurance. This is both a disservice to the State and to homeowners, who become extremely vulnerable in the event anything adverse occurs to a worker on their property during the project. Legitimate businesses that comply with the legal cost of doing business are at a disadvantage because their costs are higher. BIA-Hawaii members have witnessed, first hand, how unlicensed individuals have abused this exemption by performing work without complying with the law.

RMA Sales would like to recommend that a filing fee, based on the value of the proposed improvement, be instituted to directly support the Department's inspection efforts.

For the preceding reasons, RMA Sales **strongly supports** S.B. 1077.

Thank you.

Respectfully submitted by:



Anthony Borge