

MAR 07 2014

SENATE CONCURRENT RESOLUTION

A CONCURRENT RESOLUTION URGING THE REPAIR OF STATE HIGHWAYS AND ROADS FOR THE SAFETY AND COMFORT OF DRIVERS AND URGING THE REMOVAL OF TRASH FROM STATE HIGHWAYS AND ROADS TO MINIMIZE HAZARDS AND THE FLOW OF THE TRASH THROUGH STORMWATER AND INTO THE OCEAN.

1 WHEREAS, the State of Hawaii has an urgent need to remedy
2 the disrepair of state highways and roads; and

3
4 WHEREAS, such repairs have cost the state approximately
5 \$57,000 annually in tort liability claims since 2009; and

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7 WHEREAS, many vehicle owners do not make tort claims
8 despite damage to their cars and tires from potholes and cracks
9 in the roads and state highways;

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11 WHEREAS, as part of the effort to accomplish such repairs,
12 taxpayer funds are appropriated for the maintenance and repair
13 of road including for the purpose of fixing potholes, cracks,
14 bridges, sidewalks, median barriers and guardrails;

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16 WHEREAS, many drivers swerve and steer to avoid the
17 potholes and cracks in the road adding to the unpredictability
18 of fellow drivers actions on the road;

19
20 WHEREAS, many drivers drive outside the marked lanes on the
21 highways and roads to avoid damage to their cars from the
22 potholes and cracks in the roads and highways;

23
24 WHEREAS, the state highways and roads that are in extreme
25 disrepair with numerous potholes and cracks include, but are not
26 limited to, Kamehameha Highway/Route H-99 between Honomanu St,
27 Aiea and Pearl City; Farrington Highway through Kapolei shopping
28 areas, Nanakuli, Maile and Waianae; Route H-750/Kunia Road and
29 Route H-99 around Schofield Barracks;



1 WHEREAS, litter and trash, small and large pieces, are seen
2 to line highways and roads often resulting in damage to tires
3 and vehicles in addition to being an eyesore for residents and
4 tourists alike;

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6 WHEREAS, the litter and trash often ends up in the
7 stormwater systems thereby flowing into the ocean; and now,
8 therefore,

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10 BE IT RESOLVED by the Senate of the Twenty-seventh
11 Legislature of the State of Hawaii, Regular Session of 2014, the
12 House of Representatives concurring, that the people of Hawaii
13 demand the Governor set forth a plan with the Chief Highway
14 Administrator at the Department of Transportation Highways
15 Division to accomplish the mission of the department to provide
16 a safe, efficient, and accessible highway system through the
17 utilization of available resources in the maintenance,
18 enhancement and support of land transportation facilities by
19 year end of 2014 and include timelines and benchmarks to
20 complete the work; and

21
22 BE IT FURTHER RESOLVED the people of Hawaii demand the
23 Governor instruct the Chief Highway Administrator at the
24 Department of Transportation Highways Division to prioritize the
25 repair and or replacement of the surface of above listed roads
26 and highways in all areas where potholes are evident to provide
27 a safe, efficient, smooth and accessible highway and road system
28 by year end of 2016; and

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30 BE IT FURTHER RESOLVED the Legislature acknowledges the
31 Governor is accountable for oversight of the actions of the
32 Department of Transportation Highways Division, Construction and
33 Maintenance Branch, regarding the timely repair of all potholes
34 on, and the removal of trash from, state highways and roads; and

35
36 BE IT FURTHER RESOLVED the Legislature urges the Governor
37 to exercise such oversight with an intention to reduce the
38 state's liability for vehicle damage claims related to potholes
39 and other highway disrepair, and with the intention to ensure
40 public safety on the state highways and roads and with an
41 intention to reduce and remove trash, all to ensure the people
42 of Hawaii are not exposed to hazardous driving conditions on a
43 day-to-day basis; and

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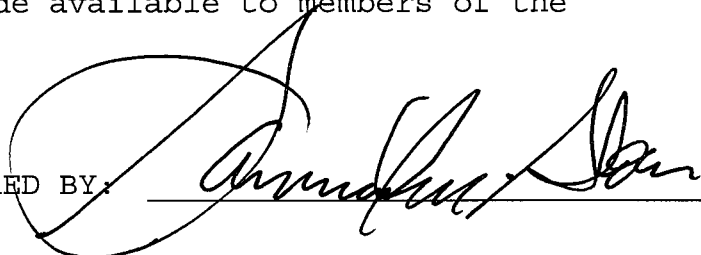
S.C.R. NO. 96

1 BE IT FURTHER RESOLVED , the Governor is reminded to ensure
2 that Hawaii Administrative Rules §19-127.1-25 is strictly
3 implemented, and the Governor is encouraged to amend the rules
4 specific language "Potholes...repaired as soon after they are
5 reported" be updated to read "Potholes...repaired as soon after
6 they are reported or observed"; and

7
8 BE IT FURTHER RESOLVED , the Governor is reminded to ensure
9 that Hawaii Administrative Rules §19-127.1-27 "Litter...on the
10 roadway should be removed as soon as it is reported or observed"
11 is strictly implemented and the Governor is urged to amend the
12 word "should" to "shall" in this rule.

13
14 BE IT FURTHER RESOLVED, the Governor is further reminded to
15 ensure that Hawaii Administrative Rules §19-127.1-34 "All
16 highways, major streets and roads should be swept to remove
17 loose gravel and debris at least once a month."

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19 BE IT FURTHER RESOLVED that certified copies of this
20 Concurrent Resolution be transmitted to the Governor and the
21 Chief Highways Administrator at the Department of Transportation
22 Highways Division and be made available to members of the
23 public.

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25
26 OFFERED BY: 

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