

Hawai'i Construction Alliance

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March 15, 2017

The Honorable Henry J.C. Aquino, Chair
The Honorable Sean Quinlan, Vice Chair
and members
House Committee on Transportation
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Support for the Intent of SB663, Relating to Highway Safety

Dear Chair Aquino, Vice Chair Quinlan, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Laborers' International Union of North America, Local 368; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We **support the intent of SB663**, relating to highway safety, which increases the fines for speeding violations occurring in a school zone or construction area.

Our unions' top priority is the health and safety of our members. During the past several legislative sessions, we have been active in pursuing legislation to protect the health and safety of construction workers at their job sites. We are pleased to see that SB663 adds to this very important conversation.

We encourage your committee to advance this measure to continue discussion on to ensure that our members are not endangered by reckless drivers and others who would harm their health and safety.

Mahalo,



Tyler Dos Santos-Tam
Executive Director
Hawai'i Construction Alliance
execdir@hawaiiconstructionalliance.org

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 8:22 PM
To: TRNtestimony
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for SB663 on Mar 17, 2017 11:15AM

SB663

Submitted on: 3/15/2017

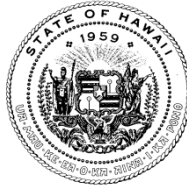
Testimony for TRN on Mar 17, 2017 11:15AM in Conference Room 423

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|-----------------------------------|---------------------------|---------------------------|
| Mike Moran | Kihei Community Association (KCA) | Support | No |

Comments: There is no reason to speed in school zones, yet we see it often in spite of varied signage, including those that indicate you speed, so driver has to be aware. Let's increase the fines so when caught they will be reminded how important this is, before injuring a child or worse. Please pass this. Mike Moran for KCA

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.

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Testimony by:
FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
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IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 17, 2017
11:15 a.m.
State Capitol, Room 423

S.B. 663
RELATING TO HIGHWAY SAFETY

House Committee on Transportation

The Department of Transportation (DOT) strongly **supports** S.B. 663 relating to highway safety. The bill increases the fines for speeding violations occurring in a school zone or construction area.

During calendar year 2014 speeding was a contributing factor in 38 percent of Hawaii's motor vehicle fatalities. In 2015 that number increased to 43 percent. Preliminary State data for 2016 indicates that the trend is continuing upwards with 44 percent of fatalities involving speed.

In addition, according to 2011 statewide data 172 major traffic crashes were reported in the area of schools and 151 major traffic crashes were reported in the area of work zones.

County police department statistics from 2012 through 2016 also reveal that speeding in school zones and construction areas is a problem:

- Oahu – 1,047 citations issued
- Kauai – 308 citations issued
- Hawaii Island – 368 citations issued
- Maui – 937 citations issued

These statistics are alarming because the speed of a vehicle is a major factor in the severity of the injury. When a pedestrian is struck, the likelihood of death increases faster than the percentage increase in vehicle speed. According to a study conducted by United Kingdom's DOT, a pedestrian hit at 20 miles per hour has a 5 percent chance of sustaining fatal injuries, but a pedestrian hit at 40 miles per hour has an 85 percent chance of sustaining fatal injuries. Additionally, drivers' field of vision becomes narrower the faster they drive. Thus, at higher speeds drivers are less likely to see a pedestrian and are even less likely able to stop in time to avoid striking a pedestrian.

Around schools, children are vulnerable to pedestrian crashes that may result in serious injuries and/or death because:

- Their height makes it difficult for them to see drivers and for drivers to see them.
- They have difficulty judging a car's speed and distance and they believe that cars can stop instantly.
- They may dart out into the roadway, sometimes between parked cars, especially if chasing after a ball or running to catch a bus.

Even teens are at risk for pedestrian crashes since they are more distracted by mobile electronic devices and peers rather than watching traffic conditions. According to an October 2016 report by Safe Kids Worldwide, "Alarming Dangers in School Zones," "there has been a 13 percent increase in the pedestrian death rate for 12-19 year olds since 2013" and "there are five teen pedestrian deaths every week in the United States."

Speeding in construction zones is a concern due to the added dangers of construction equipment; changes in roadway design and markings; and increased pedestrian activity from construction/maintenance workers. The National Highway Traffic Safety Administration reported that in 2014 speeding was involved in 29 percent of fatal crashes that occurred in construction/maintenance zones nationally.

For the reasons stated above, DOT believes that tripling the current fines for speeding in school zones or construction areas will serve as a deterrent for speeding and will lead to safer traffic conditions for our vulnerable roadway users.

Thank you for the opportunity to provide testimony.

LATE

DEPARTMENT OF THE PROSECUTING ATTORNEY

CITY AND COUNTY OF HONOLULU

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FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE HENRY J.C. AQUINO, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i**

March 17, 2017

RE: S.B. 663; RELATING TO HIGHWAY SAFETY.

Chair Aquino, Vice Chair Quinlan, and members of the House Committee on Transportation, the Department of the Prosecuting Attorney of the City & County of Honolulu (“Department”) submits the following testimony in opposition to S.B. 663.

The purpose of S.B. 663 is to increase the fines for speeding in a school or construction zone, from \$250 to \$750.

While we understand there are significant potential dangers and risks associated with this type of behavior, we do not believe that higher fines are necessarily the answer to deterring or educating the public about this. Currently, section 291C-104 is codified in the Hawaii Revised Statutes as a traffic infraction punishable by fine only. Although the intent of S.B. 663 has good intentions, the Department believes that this proposal may create the unintended consequence of increasing the amount of misdemeanants and petty misdemeanants by way of unpaid fines. If an individual is fined under S.B. 663 and is not able to pay the mandatory \$750 fine plus court costs within the designated time, a stopper would be subsequently placed on the defendant’s driver’s license. The stopper would prevent a defendant with unpaid fines from renewing their driver’s license. This potentially could lead to a new charge of Driving without a License (DWOL) if the defendant continues to drive unlicensed. Pursuant to the H.R.S., DWOL is a petty misdemeanor for a first or second offense if a five year period and a misdemeanor for a third offense within a five year period. In addition, based on our experience, we anticipate that a mandatory fine of \$750 would force a lot more cases to trial, which would add more congestion to the current

voluminous caseloads at District Court, and potentially overwhelm the courts and our Department's resources.

For all of the reasons stated above, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes S.B. 663. Thank you for the opportunity to testify on this matter.

LATE

Testimony of
Christopher Delaunay, Government Relations Manager
Pacific Resource Partnership

HOUSE OF REPRESENTATIVES
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2017

COMMITTEE ON TRANSPORTATION
Representative Henry J.C. Aquino, Chair
Representative Sean Quinlan, Vice Chair

NOTICE OF HEARING

DATE: Friday, March 17, 2017
TIME: 11:15 am
PLACE: Conference Room 423

Aloha Chair Aquino, Vice Chair Quinlan, and Members of the Committee:

PRP supports the intent of SB 663, relating to Highway Safety, which increases the fines for speeding violation occurring in a school zone or construction area. Setting higher fines for speeding violations will help deter motorists from operating vehicles at dangerous speeds that threaten the vulnerable pedestrians who frequent school zones or construction areas.

Thank you for allowing us to testify on SB 663 and we respectfully request your support in moving this bill forward.

About PRP

Pacific Resource Partnership (PRP) is a not-for-profit organization that represents the Hawaii Regional Council of Carpenters, the largest construction union in the state, and more than 240 of Hawaii's top contractors. Through this unique partnership, PRP has become an influential voice for responsible construction and an advocate for creating a stronger, more sustainable Hawaii in a way that promotes a vibrant economy, creates jobs and enhances the quality of life for all residents.

