



**Testimony by:**  
JADE T. BUTAY  
INTERIM DIRECTOR

Deputy Directors  
ROY CATALANI  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

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

February 9, 2018  
10:00 a.m.  
State Capitol, Room 423

**H.B. 2440**  
**RELATING TO THE STATEWIDE TRAFFIC CODE**

House Committee on Transportation

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The Department of Transportation (DOT) **opposes** H.B. 2440 to prohibit vehicles with more than four wheels or a high-passenger car from using the extreme left-hand lane on any roadway with two or more clearly marked lanes moving in the same direction. Although H.B. 2440 has the potential to improve traffic flow and increase safety, the DOT has the following concerns on a blanket lane use restriction:

1. Section 291C-49(3) H.R.S. already provides the authority necessary to restrict lane use through official signing. In addition, 291C-41(b) requires any vehicle proceeding at less than the normal speed of traffic to use the right-hand lane;
2. Although this kind of restriction has been utilized on various rural interstates in a few jurisdictions, implementing this restriction for all roadways having two or more lanes moving in the same direction is not appropriate. Most roadways on Oahu were built prior to today's modernized design and access management criteria. Closely spaced ramps (less than 2 miles apart), intersections and driveways reduce the creation of gaps necessary for vehicles to merge, weave, enter and lane change comfortably. H.B. 2440 will create more challenging conditions for all roadway users by congesting the right lane(s) with larger, slower moving vehicles making lane transitions and exiting driveways or side streets more difficult. The result may be a slower traffic flow rather than what is intended to help improve traffic flow and safety;
3. Studies have shown that truck lane restrictions applied at appropriate sites can produce the marginal benefits for non-trucks of increased speeds and reduced delays, however this could be at the expense of reduced speeds and increased delays for trucks which results in an overall economic loss. The change in average speeds are typically in the order of 1 or 2 miles per hour;

4. In the design of pavement structures, truck wheel loads based on anticipated truck volumes are distributed equally among all lanes. H.B. 2440 will have a significant impact on decreasing the life cycle of existing pavements and result in a considerable increase in construction and maintenance costs;
5. The intent of Subsection 2(2) is not clear as using the left curb or edge as a reference may conflict with 291C-41 H.R.S. where a vehicle shall be driven on the right half or right of the centerline of the roadway; and
6. Subsection 2(b)(1) has the potential to result in large trucks making last-minute changes when left turns or exits are necessary. These large trucks are not as maneuverable as passenger vehicles and all roadway users will be exposed to increased conflicts in these last-minute lane changes. All vehicles should be allowed to change lanes when adequate gaps are available versus within a specified distance from where a left turn will be performed.

Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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OUR REFERENCE **RN-GR**

February 9, 2018

The Honorable Henry J. C. Aquino, Chair  
and Members  
Committee on Transportation  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 423  
Honolulu, Hawaii 96813

Dear Chair Aquino and Members:

**SUBJECT: House Bill No. 2440, Relating to the Statewide Traffic Code**

I am Ryan Nishibun, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports the passage of House Bill No. 2440, Relating to the Statewide Traffic Code, specifically prohibiting a vehicle with more than four wheels or a high-passenger car from driving in the extreme left lane or a roadway marked for two or more lanes of traffic moving in the same direction.

Drivers of heavy trucks and larger vehicles (including larger passenger vehicles) create a hazard when they drive in the left lane. Heavy trucks and larger vehicles have limited visibility, which makes changing into the left lane more of a risk for smaller, faster moving vehicles that are approaching in the left lane. Also, these vehicles have a longer braking distance that make it more hazardous for them to be in the left lane. This is due to the speeds normally being faster in the left lane, and it requires reduced reaction and braking times should these vehicles need to stop suddenly.

Additionally, if these vehicles encounter a mechanical breakdown and are unable to move to the right where the wider shoulders are located, they create a traffic backlog that can tie-up traffic for hours.


The HPD strongly supports House Bill No. 2440 and urges the passing of this bill.

*Serving and Protecting With Aloha*

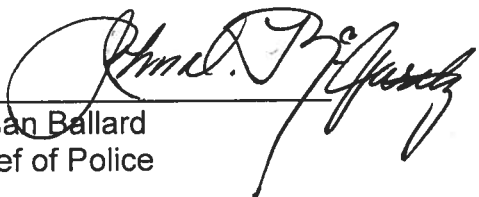
The Honorable Henry J. C. Aquino, Chair  
and Members  
February 9, 2018  
Page 2

Thank you for the opportunity to testify.

Sincerely,

  
for Ryan Nishibun, Major  
Traffic Division

APPROVED:

  
Susan Ballard  
Chief of Police



February 9, 2018

**TESTIMONY BEFORE THE SENATE COMMITTEE ON TRANSPORTATION  
ON HB 2440 RELATING TO THE STATEWIDE TRAFFIC CODE**

Thank you Chair Aquino and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) with over 400 transportation related members throughout the state of Hawaii.

Hawaii Transportation Association opposes this bill.

Any vehicle that can maintain the legal speed limit should be allowed to do so in any lane. On non-freeway roadways, there are no “fast lanes” versus “slow lanes.” These roadways have multitudes of destinations on both sides of the street (e.g. Dillingham Boulevard), and are not conducive to the high speed lane changes that Section 1 is fearful of.

Roadways which are not clearly marked for two or more lanes are probably too narrow to allow two vehicles to traverse side by side so traveling closer to the right edge does not help.

In the case of the freeway, when accessing left hand exits, we want drivers to get into the proper lane for exit as soon as it is safe to prevent the need for high speed lane changes. At 50 mph, a vehicle will travel 1,000 feet in about 13 seconds. That is not a safe buffer of time when trying to change over to the left lane amid traffic.

Commercial vehicles service people everywhere so must be able to travel everywhere.

Thank you.

**HB-2440**

Submitted on: 2/7/2018 10:13:38 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Maui Police Department	Oppose	No

Comments:

I couldn't find data to support this proposed restriction.

**HB-2440**

Submitted on: 2/8/2018 8:26:41 PM

Testimony for TRN on 2/9/2018 10:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Scott Smart		Oppose	No

Comments:

Chairman Aquino Vice Chairman Quinlan:

I am testifying to OPPOSE HB2440. I have been riding a bicycle in Hawaii for about 30 years. HRS 291C-145 in general requires a bicyclist to "ride as near to the right-hand curb, on the edge of the roadway, or on the shoulder off of the roadway as practicable." This is typically referred to as FRAP. An exception to the general rule is provided in subsection (a)(2) "When reasonably necessary to avoid conditions (including but not limited to fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb, on the edge of the roadway, or on the shoulder off of the roadway. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane"

As drafted, it appears this bill would prohibit a "large, high-passenger vehicle" from changing lanes to pass a cyclist. I note that Hawaii, unlike 27 other states, does not have a "three-foot" law protecting cyclists from over-taking motor vehicles. I am concerned this bill, if enacted, would encourage unsafe, close passing. My personal experience in C&C of Honolulu in particular, is that operators of "TheBus" often will move to the left, or "fast" lane when they pass me. This should be encouraged.

**LATE**

**HB-2440**

Submitted on: 2/9/2018 8:05:13 AM

Testimony for TRN on 2/9/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Pakele		Oppose	No

Comments:

This has the potential to back up traffic on Farrington Hwy with the qmountnof truckd heading to PVT. The area is already plagued with massive traffic issues and taking away the ability for trucks to go around stopped buses and people stopped to turn right who may be waiting for pedestrians.

Further, this only addresses half of the problem as not only trucks go slow in the left lane. Instead of indirectly addressing half the problem it would be better to directly address the entire problem.