

JAN 18 2019

A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

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

1 SECTION 1. The legislature finds that in preparation for a
2 natural disaster, every second of potential evacuation time
3 makes a difference in protecting the lives of the State's
4 residents. Specifically, because Hawaii is a seismically active
5 state, a shallow undersea earthquake could very quickly cause
6 destruction to low-lying areas. The Pacific Tsunami Warning
7 Center notes that a tsunami generated along the southeast coast
8 of the island of Hawaii could reach Hilo or Kona within five to
9 ten minutes, Maui within fifteen to twenty minutes, and Oahu
10 within thirty to forty minutes. During a locally generated
11 tsunami event, persons in low-lying areas must act quickly to
12 evacuate. The legislature believes it is essential that
13 evacuation routes be clear and free of obstruction to allow for
14 a quick evacuation in case of an emergency.

15 The legislature further finds that large trees planted
16 along thoroughfares that provide access to coastal communities
17 have the potential to obstruct these roads during an evacuation.



1 If a large tree falls onto a road, it could prevent residents
2 from evacuating quickly. Further, if an obstructed road is the
3 only means to leave an evacuation zone, the obstruction could
4 unnecessarily put countless lives in danger. Obstructions along
5 roads could also prevent emergency response vehicles and
6 personnel from returning to an evacuation zone following a
7 disaster, preventing lifesaving support from reaching those who
8 critically need it.

9 Accordingly, the purpose of this Act is to prevent large
10 trees from obstructing evacuation routes by:

- 11 (1) Requiring the Hawaii emergency management agency to
12 identify key evacuation routes;
- 13 (2) Prohibiting the planting of large trees along
14 evacuation routes;
- 15 (3) Requiring the Hawaii emergency management agency to
16 identify existing large trees along evacuation routes
17 and trim, spray, or remove the trees if the trees have
18 the potential to obstruct the evacuation route; and
- 19 (4) Appropriating funds to the Hawaii emergency management
20 agency.



1 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§127A- Emergency evacuation routes; prevention of
5 obstructions. (a) No later than January 1, 2020, and no less
6 than every five years thereafter, the agency shall compile a
7 list of highways in the State that qualify as an evacuation
8 route, as defined by subsection (e).

9 (b) Beginning July 1, 2020, no person shall plant a large
10 tree within fifteen feet of the roadway portion of an evacuation
11 route.

12 (c) No later than January 1, 2021, the agency shall
13 establish a registry of existing large trees planted within
14 fifteen feet of the roadway portion of an evacuation route. The
15 agency shall update the registry on an ongoing basis.

16 (d) If the agency believes a large tree identified
17 pursuant to subsection (c) has the potential to obstruct an
18 evacuation route during an emergency or disaster, the agency
19 shall:

20 (1) Trim, spray, or remove the large tree; or



1 (2) Order a landowner or other person with control over
2 the real property where the tree is situated to trim,
3 spray, or remove the large tree.

4 (e) As used in this section:

5 "Evacuation route" means:

6 (1) Any highway that provides access to:

7 (A) A tsunami evacuation zone;

8 (B) A special flood hazard area; or

9 (C) Any other area that the director, in the
10 director's discretion, has a reasonably high
11 likelihood of being required to evacuate during
12 an emergency; or

13 (2) Any highway that provides access to an area where at
14 least one hundred persons live, work, or are otherwise
15 present at a particular time; provided that the
16 highway is the only means of access to the area.

17 "Highway" has the same meaning as in section 264-1.

18 "Large tree" means any plant that has a single trunk and
19 will eventually attain a height of more than fifteen feet.

20 "Roadway" has the same meaning as in section 291C-1.



1 "Special flood hazard area" means an area identified as a
2 special flood hazard area by the Federal Emergency Management
3 Agency.

4 "Tsunami evacuation zone" means an area within a tsunami
5 evacuation zone or an extreme tsunami evacuation zone, as
6 designated by a county emergency management agency."

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so much
9 thereof as may be necessary for fiscal year 2019-2020 and the
10 same sum or so much thereof as may be necessary for fiscal year
11 2020-2021 for the purposes of this Act.

12 The sums appropriated shall be expended by the Hawaii
13 emergency management agency for the purposes of this Act.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2019.

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S.B. NO. 346

Report Title:

Disaster Preparation; Evacuation Routes; Large Trees; Removal; Appropriations

Description:

Restricts the planting of large trees along evacuation routes and authorizes the Hawaii Emergency Management Agency to identify large trees along evacuation routes and trim, spray, or remove large trees if the trees have the potential to obstruct the evacuation route. Defines evacuation route. Makes appropriations.

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