
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that reports have named
2 Hawaii roads the most dangerous in the nation to pedestrians
3 aged sixty-five and over. In 2022, there were one hundred and
4 seventeen traffic-related fatalities in the State. This is an
5 increase from the ninety-five traffic-related fatalities that
6 occurred within the State in 2014.

7 The legislature further finds that it currently takes the
8 State five to seven years to make simple but urgent safety fixes
9 to better protect people. The legislature believes that the
10 State should enable critical safety projects to be implemented
11 faster, and at lower costs, to help save lives.

12 Accordingly, the purpose of this Act is to increase traffic
13 safety by allowing the director of transportation to exempt
14 certain ground transportation facility projects from historic
15 preservation review and the environmental impact statement law,
16 subject to certain conditions.



1 SECTION 2. Chapter 264, Hawaii Revised Statutes, is
2 amended by adding a new section to part X to be appropriately
3 designated and to read as follows:

4 "§264- Traffic safety; exemptions; historic preservation
5 review; environmental impact statement law. The director of
6 transportation may exempt any state or county project under a
7 ground transportation facilities plan developed pursuant to
8 section 264-142 from:

9 (1) Chapter 6E; provided that:

10 (A) The project is within a previously disturbed area
11 and does not require any excavation of the known
12 soil disturbance greater than twenty-four inches
13 below grade; and

14 (B) No exemption shall apply in historic districts
15 and areas with a high probability for the
16 presence of archaeological sites or burial sites;
17 and

18 (2) Chapter 343; provided that if the project is to be
19 constructed on land that is not directly under the
20 control of the department of transportation, the
21 department of transportation shall obtain a written



1 agreement with the governmental entity or landowner
2 that controls the land on which the project is to be
3 constructed;
4 provided further that such project has the primary purpose of
5 building protective infrastructure and related appurtenances for
6 pedestrians, bicyclists, and people on other mobility devices by
7 either adding not more the twelve feet in width to any existing
8 hardened travel surface, or providing for a new hardened travel
9 surface of not more than twelve feet in width."

10 SECTION 3. If any provision of this Act, or the
11 application thereof to any person or circumstance, is held
12 invalid, the invalidity does not affect other provisions or
13 applications of the Act that can be given effect without the
14 invalid provision or application, and to this end the provisions
15 of this Act are severable.

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Traffic Safety; Department of Transportation; Construction Projects; Exemptions; Historic Preservation; Archeological Review; Environmental Impact Statement Law

Description:

Allows the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review and the environmental impact statement law, subject to certain conditions. Effective 7/1/2050. (SD1)

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