

JAN 19 2024

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, and
5 ninety-four traffic-related fatalities in 2023. Both years
6 represent an increase from the eighty-five traffic-related
7 fatalities that occurred within the State in 2020.

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

13 Accordingly, the purpose of this Act is to increase traffic
14 safety by allowing the director of transportation to exempt
15 certain ground transportation facility projects from historic
16 preservation review and the environmental impact statement law,
17 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
5 preservation review; environmental impact statement law. The
6 director of transportation may exempt any state or county
7 project under a ground transportation facilities plan developed
8 pursuant to section 264-142 from the requirements of:

9 (1) Chapter 6E; provided that:

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

14 (B) This exemption shall not apply in historic
15 districts and areas having a high probability for
16 the presence of archaeological sites or burial
17 sites; 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 the project shall have the primary purpose
5 of building protective infrastructure and related appurtenances
6 for pedestrians, bicyclists, and people on other mobility
7 devices by either adding no more than twelve feet in width to
8 any existing hardened travel surface or providing for a new
9 hardened travel surface of no 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 upon its approval.

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INTRODUCED BY: 



S.B. NO. 2893

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.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

