

ACT 31

H.B. NO. 127

A Bill for an Act Relating to Transportation.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The Legislature finds that:

- (1) The majority of the State's citizens commute daily by private automobile.
- (2) The growth and development of major urban, suburban, and residential centers throughout the State impacts each island's transportation system by placing increasing numbers of vehicles on the major arterials which connect these important centers on each island.
- (3) At the present rate of growth and development, the State's transportation needs will soon exceed the capabilities of its existing highways system.
- (4) Creating new roadways and expanding existing roadways, traditional methods used in the past to address the State's transportation needs, are no longer viable alternatives due to the current high cost of construction, the scarcity of available land, and other significant social, economic, and environmental concerns.
- (5) Transportation systems management programs consisting of ridesharing arrangements and the development, promotion, and coordination of ridesharing programs are attractive since they can be implemented with minimal lead times at relatively low costs to the State.

The purpose of this Act is to effectuate the establishment of a transportation systems management program which shall include, but not be limited to:

- (1) Planning, developing, promoting, and coordinating ridesharing programs consisting of feasible varieties of ridesharing arrangements as defined under section 279G-1, and assisting public employers, private employers, schools, and other organizations in the planning, development, promotion, and coordination of ridesharing programs;
- (2) Assisting in the formulation of ridesharing arrangements;
- (3) Promoting the use of high occupancy vehicle lanes and carpool lanes;
- (4) Promoting programs to discourage commuting by private vehicles, except through ridesharing arrangements or by common carrier;
- (5) Promoting and coordinating with public employers, private employers, and schools the alteration of work and school hours for employers and students; and
- (6) Planning, developing, promoting, and coordinating programs to encourage bicycling as a mode of transportation and recreation.

SECTION 2. Section 26-19, Hawaii Revised Statutes, is amended to read as follows:

**"§26-19 Department of transportation.** The department of transportation shall be headed by a single executive to be known as the director of transportation.

The department shall establish, maintain, and operate transportation facilities of the State, including highways, airports, harbors, and such other transportation facilities and activities as may be authorized by law.

The department shall plan, develop, promote, and coordinate various transportation systems management programs that shall include, but not be limited to, alternate work and school hours programs, bicycling programs, and ridesharing programs.

The department shall develop and promote ridesharing programs which shall include but not be limited to, carpool and vanpool programs, and may assist organizations interested in promoting similar programs, [and] arrange for contracts with private organizations to manage and operate these programs], and assist in the formulation of ridesharing arrangements. Ridesharing programs include informal arrangements in which three or more persons ride together in a motor vehicle for four or more days a week to or from work or school.

The functions and authority heretofore exercised by the department of public works with respect to highways are transferred to the department of transportation established by this chapter.

On July 1, 1961, the Hawaii aeronautics commission, the board of harbor commissioners and the highway commission shall be abolished and their remaining functions, duties, and powers shall be transferred to the department of transportation.

Upon the abolishment of the Hawaii aeronautics commission, the board of harbor commissioners, and the highway commission, there shall be established within the department of transportation a commission to be known as the commission on transportation which shall sit in an advisory capacity to the director of transportation on matters within the jurisdiction of the department of transportation. The commission on transportation shall consist of not more than eleven members, with the number of members from each county insofar as practicable being approximately proportional to the population of the respective counties to the population of the State; provided that each of the four counties shall be [represented] represented by at least one member."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 1989.

(Approved April 24, 1989.)