

## ACT 166

H.B. NO. 2075

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 bicycling is growing in importance as a mode of transportation. Bicycling has many benefits, including:

- (1) Improved mobility, especially for those who cannot or choose not to drive;
- (2) Lower road maintenance costs;
- (3) Less traffic congestion;
- (4) Less road widening and fewer parking lots;
- (5) Improved air quality; and
- (6) Improved health and reduced medical costs.

With rising gasoline prices, many people are looking for an alternative method of transportation. It is far less expensive to operate a bicycle than an automobile.

The purpose of this Act is to ensure the implementation of a safe, continuous, and coordinated system of bikeways by earmarking a percentage of the state highway fund for bikeways.

SECTION 2. Section 248-9, Hawaii Revised Statutes, is amended to read as follows:

**“§248-9 State highway fund. (a)** Moneys in the state highway fund may be expended for the following purposes:

- (1) To pay the costs of operation, maintenance, and repair of the state highway system, including without limitation, the cost of equipment and general administrative overhead;
- (2) To pay the costs of acquisition (including real property and interests therein), planning, designing, construction, and reconstruction of the state highway system[,] and bikeways, including, without limitation, the cost of equipment and general administrative overhead; provided that the director of transportation shall allot and expend two per cent of federally eligible moneys in the state highway fund for bikeways; and
- (3) To reimburse the general fund for interest on and principal of general obligation bonds issued to finance highway projects where the bonds are designated to be reimbursable out of the state highway fund.

**(b)** At any time, the director of transportation may transfer from the state highway fund all or any portion of available moneys determined by the director of transportation to ~~[be in excess of]~~ exceed one hundred thirty-five per cent of the requirements for the ensuing twelve months for the state highway fund as permitted by and in accordance with section 37-53. For purposes of the determination, the director of transportation shall take into consideration:

- (1) The amount of federal funds and bond funds on deposit in, and budgeted to be expended from, the state highway fund during the period;

## ACT 166

- (2) Amounts on deposit in the state highway fund [~~which~~] that are encumbered or otherwise obligated;
- (3) Budgeted amounts payable from the state highway fund during the period;
- (4) Revenues anticipated to be received by and expenditures to be made from the state highway fund during the period based on existing agreements and other information for the ensuing twelve months; and
- (5) Any other factors as the director of transportation shall deem appropriate.”

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

SECTION 4. This Act shall take effect on July 1, 2006.

(Approved June 2, 2006.)