

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS COMMITTEE**

December 20, 2005

**Committee  
Report No.**

05-179

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works Committee, having met on October 17, 2005 and November 28, 2005, makes reference to County Communication No. 05-136, from Councilmember Jo Anne Johnson, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.68.110, MAUI COUNTY CODE, PERTAINING TO HEAVY VEHICLES AND VEHICLE LOAD".

The purpose of the proposed bill is to restrict certain heavy commercial vehicles from using Front Street between its intersection with Honoapiilani Highway at Puamana and Shaw Street in Lahaina.

By correspondence dated September 16, 2005, the Chair of your Committee requested that the Director of Public Works and Environmental Management review the proposed legislation, and provide comments on the impact of such proposed legislation on tour bus and other commercial traffic in the area, including the capacity of alternative routes for such vehicles.

By correspondence dated October 6, 2005, the Director of Public Works and Environmental Management indicated that nearby collector roads would see an increase in traffic as a result of this legislation. He also stated that large vehicles currently operate along the roadway without incident.

At its meeting of October 17, 2005, your Committee met with the Director of Public Works and Environmental Management; a Civil Engineer, Department of Public Works and Environmental Management; a Captain, Department of Police; and a Deputy Corporation Counsel.

Your Committee received public testimony from four people in support of limiting commercial vehicle access on Front Street. One testifier presented petitions requesting that speed tables be installed along this section of Front Street.

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS COMMITTEE**

December 20, 2005  
Page 2

**Committee**  
**Report No.** 05-179

The Director restated his comments provided in his October 6, 2005 correspondence. He explained that the narrow roadway requires large vehicles to encroach into oncoming lanes to negotiate the turn on Front Street in the Puamana area, that traffic would most likely shift to neighboring collector roads as a result of this legislation, and that large vehicles currently operate along this section of Front Street without incident.

Your Committee discussed the potential impact of this proposed legislation on the surrounding neighborhood as well as commercial vehicles, and requested additional comments from the Traffic Safety Council (TSC), the West Maui Taxpayers Association, the LahainaTown Action Committee, and trucking and tour bus companies.

Your Committee deferred consideration of the matter pending further discussion.

By correspondence dated October 24, 2005, the Chair of your Committee requested that the TSC review the proposed bill at their next meeting, and provide comments to your Committee.

By correspondence dated November 2, 2005, the TSC noted that the existing left-turn restriction onto Shaw Street from Honoapiilani Highway by commercial vehicles would increase traffic on Shaw Street as well as on Front Street. The TSC recommended that this matter be addressed prior to implementation of the proposed bill's restriction on Front Street.

By correspondence dated November 4, 2005, the Chair of your Committee requested that trucking and tour bus companies, the West Maui Taxpayers Association, and the LahainaTown Action Committee comment on the proposed bill.

By correspondence dated November 14, 2005, Councilmember Johnson transmitted correspondence dated October 21, 2005, from Susan L. Hendricks, Principal, Sacred Hearts School, in support of the proposed bill, and included a petition signed by eight individuals supporting the legislation.

At its meeting of November 28, 2005, your Committee met with the Director of Public Works and Environmental Management; a Captain, Department of Police; and a Deputy Corporation Counsel.

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS COMMITTEE**

December 20, 2005  
Page 3

**Committee**  
**Report No.**     05-179

Your Committee received public testimony from two people in support of limiting commercial vehicle access on Front Street.

Your Committee received a brief overview of the proposal from the Director who informed your Committee that the TSC had reviewed the proposed restriction on Front Street, and had noted that left turns are currently not allowed from Honoapiilani Highway onto Dickenson Street. He said that although the TSC's comments indicated that commercial vehicles are currently restricted from making left turns onto Shaw Street from Honoapiilani Highway, they are actually restricted from making left turns onto Dickenson Street, and not Shaw Street. The TSC was also concerned with additional traffic in other areas due to the proposed restriction.

The Director also said that the Department of Public Works and Environmental Management is concerned that heavy vehicles requiring a larger turning radius than personal vehicles may cause encroachment into the oncoming lane of traffic. He said that nearby roadways will probably see an increase in commercial vehicle traffic, and that the width of Front Street is narrow, but commercial vehicles seem to be operating there without incident.

Your Committee briefly discussed the possibility of a temporary or trial restriction. The Deputy Corporation Counsel indicated that the proposed limitation is not a "traffic control device" as referred to in Chapter 10 of the Maui County Code, and as such, the Director was not authorized to institute it as a temporary measure.

Your Committee noted that the Chair of your Committee received only one response to inquiries sent to large tour companies or businesses that may be affected by the proposed limitation.

Your Committee discussed the enforcement of the proposed limitation. The Captain indicated that the police will enforce the law. The driver of a commercial vehicle may be asked to produce a bill of lading, or contract for carriage of goods, for the products they are delivering. He suggested that exemptions be added to the proposed restriction to allow for commercial vehicle access due to emergencies or disruption of alternate routes due to construction.

The Director noted that a flood plan for the area is currently being drafted.

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS COMMITTEE**

December 20, 2005  
Page 4

**Committee**  
**Report No.**     05-179

Your Committee voted to recommend passage of the proposed bill on first reading and filing of the communication.

Your Public Works Committee RECOMMENDS the following:

1. That Bill No. \_\_\_\_\_ (2005), attached hereto, entitled A BILL FOR AN ORDINANCE AMENDING SECTION 10.68.110, MAUI COUNTY CODE, PERTAINING TO HEAVY VEHICLES AND VEHICLE LOAD” be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 05-136 be FILED.

Adoption of this report is respectfully requested.

pw:cr:0512aa:scj/rkk

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS COMMITTEE**

December 20, 2005  
Page 5

**Committee**  
**Report No.** 05-179

---

**JOSEPH PONTANILLA** **Chair**

---

**G. RIKI HOKAMA** **Member**

---

**MICHAEL J. MOLINA** **Vice-Chair**

---

**DANNY A. MATEO** **Member**

---

**ROBERT CARROLL** **Member**