

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

August 19, 2003

Committee
Report No.

03-86

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

Chair and Members:

Your Public Works and Traffic Committee, having met on June 5, 2003 and July 31, 2003, makes reference to County Communication No. 03-113, from Councilmember Michael J. Molina, transmitting correspondence from Janice Madigan, relating to pedestrian safety and vehicular speed at the intersection of Makani Road and Makawao Avenue in Makawao (intersection).

By correspondence dated May 6, 2003, your Committee Chair requested that the Department of Public Works and Environmental Management consider the installation of a temporary traffic control device at the intersection and provide comments on developing a permanent solution to the matter.

By correspondence dated May 14, 2003, Terry Jones expressed concerns about two pedestrian accidents, which occurred at the intersection, and requested that pedestrian safety issues be addressed.

By correspondence dated May 19, 2003, the Director of Public Works and Environmental Management stated that traffic counts will be obtained and a recommendation will be provided for a permanent solution. In the interim, crosswalks will be re-stripped, and signage will be installed to preliminarily address the concerns at the intersection.

By correspondence dated May 19, 2003, your Committee Chair transmitted articles from *The Maui News* dated May 18, 2003, entitled "Sign Wavers Draw Attention to Dangerous Intersection" and "Upcountry Residents Appeal for Safer Passage".

By correspondence dated May 20, 2003, Burt Randall noted concerns about an article that stated that the community would be required to raise \$5,000 to fund the installation of a traffic light at the intersection.

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By correspondence dated May 20, 2003, Councilmember Danny Mateo transmitted correspondence dated May 19, 2003, from "Hoolai" noting other traffic and pedestrian concerns along Makawao Avenue.

By correspondence dated May 20, 2003, your Committee Chair transmitted an article from *The Maui News* dated May 19, 2003, entitled "County Has Responsibility for Kids' Safety".

By correspondence dated May 21, 2003, your Committee Chair transmitted an article from *The Maui News* dated May 21, 2003, entitled "Intersection Needs Action".

By correspondence dated May 22, 2003, your Committee Chair transmitted an article from *The Maui News* dated May 22, 2003, entitled "Troubled Crossing Gets Some Attention".

By correspondence dated May 22, 2003, Patricia Bergau expressed pleasure that matters relating to pedestrian safety are being addressed, and noted her support for a flashing light or traffic signal at the subject intersection.

By correspondence dated May 22, 2003, Winifred Cambra requested that a traffic light be installed in-lieu of a three-way stop at the subject intersection.

By correspondence dated May 22, 2003, James Garcia noted various issues with road conditions, and that activities in the area contribute to the traffic problem at the intersection.

By correspondence dated May 23, 2003, Audrey Moniz requested that a flashing light be installed at the intersection, and noted other traffic concerns along Makawao Avenue.

By correspondence dated May 24, 2003, June E. Scully expressed concerns about vehicular speed, and requested that a police presence be established at the intersection.

By correspondence dated May 27, 2003, Ernest H. Rezens requested that: 1) a police presence be established at the subject intersection; 2) speed humps be installed along Kealaloa Avenue; 3) emergency response vehicles

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reduce their speed; and 4) the Department of Police to increase citation of individuals that violate posted speed limits.

By correspondence dated May 27, 2003, Clifford Kakiuchi noted concerns of excessive speed and congestion along Makawao Avenue and requested that crosswalks be re-striped and speed limit signs be posted along Baldwin Avenue, Kaupakalua Road, Olinda Road and Makawao Avenue.

By correspondence dated May 28, 2003, Nanette Ann Sagon requested that a traffic signal be installed at the intersection.

By correspondence dated June 3, 2003, Pietro Porcella recommended that certain public safety measures be installed at the intersection.

By correspondence dated June 3, 2003, your Committee Chair transmitted photographs of the intersection.

At its meeting of June 5, 2003, your Committee met with the Director and Engineering Division Chief, Department of Public Works and Environmental Management; a Lieutenant, Department of Police; and a Deputy Corporation Counsel.

Your Committee received testimony from six individuals.

One testifier indicated that he lived in the area for 54 years. He noted that speed and increased traffic have attributed to the accidents that recently occurred near the intersection.

Another testifier stated that the growing population in the Makawao area has contributed to the traffic problems. He recommended that a raised crosswalk be installed, and noted that speed humps would not be an effective traffic-calming tool.

The next testifier noted concerns that safety issues will continue to escalate if enhancements are not installed at the intersection. She also recommended: 1) restricting the use of cell phones while driving vehicles; 2) installing a raised crosswalk with flashing lights placed in the pavement; and 3)

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providing additional speed limit signs. The testifier was opposed to the use of a three-way stop because of the potential traffic congestion it may cause.

A testifier indicated that she saw the accident that involved the crossing guard and recommended that: 1) speed humps be installed on Makani Road; (2) the Department of Police maintain their presence in the area; and 3) citations of traffic violations be increased near the intersection. She also agreed that a raised crosswalk should be installed with flashing lights placed in the pavement.

Jocelyn Perreira read written testimony from Madelyn D'Enbeau, Chair, Makawao Main Street Association, recommending the installation of flashing yellow lights, larger speed limit signs, sidewalks, rumble strips, and other traffic calming devices. Ms. Perreira expressed her opposition to the installation of a three-way stop sign at the intersection.

Your Committee received photographs of the intersection and renderings of road and pedestrian safety enhancements submitted by the Director of Public Works and Environmental Management.

The Director provided your Committee with the following recommended roadway and pedestrian safety measures to be installed at the intersection:

1. Establish a crosswalk on Makani Road at its intersection with Makawao Avenue;
2. Narrow the traffic lanes along Makawao Avenue to reduce vehicular speed;
3. install a raised crosswalk on Makawao Avenue, at its intersection with Makani Road;
4. Enhance speed limit signage; and
5. Research the use of Federal-aid funding for improving sidewalks along Makawao Avenue.

The Police Lieutenant provided your Committee with the following statistics:

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1. Thirteen accidents have occurred at the intersection dating back to June 1998;
2. Three of the accidents involved pedestrians (prior to the March 2003 accident, January 1999 was the last pedestrian accident to occur at the intersection);
3. Seven of the accidents have been considered major;
4. Six accidents were considered minor;
5. In March 2003, traffic enforcement efforts resulted in 230 speeding citations; and
6. On Monday, June 3, 2003, an enforcement effort by the Department of Police resulted in 40 traffic citations within a two-hour period.

The Lieutenant also stated that the Department of Police supports the installation of a three-way stop. He also noted that speed humps will not reduce vehicle speed.

Your Committee noted that the use of a speed trailer should be considered to help monitor vehicular traffic. Your Committee noted that speed trailers should be utilized throughout the County to promote public safety awareness and speed reductions.

In response to an inquiry by your Committee, the Lieutenant noted that the Department currently has only one speed trailer.

The Director stated, in response to your Committee, that until a topographical survey is completed of the intersection, he would be unable to determine the proposed width of the traffic lane reduction along Makawao Avenue.

Your Committee recommended that the issue of pedestrian safety be analyzed from a larger perspective. Your Committee noted that efforts to reduce

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vehicle speeds, enhance pedestrian safety, enlarge school-zone boundaries, and increase fines and penalties for violations of posted speed limits should be legislated throughout the County. Your Committee noted that fines should be increased for violating speed limits, and an individual's driver's license should be revoked or suspended, and reviewed to help change the mentality of the individuals operating speeding vehicles.

The Lieutenant also noted that education is the key to driver safety and awareness. He noted that driver awareness programs should begin with the children in school.

The Director noted that, in response to an inquiry by your Committee, he is not recommending the installation of a three-way stop at the intersection. He noted that the Engineering Division recently conducted a traffic count in the area and the result did not warrant the installation of a three-way stop.

Your Committee requested the following:

1. That the Department of Public Works and Environmental Management review the installation of large speed limit signs that identify the fines imposed within school zones;
2. That the Department of the Corporation Counsel review increasing the size of school zones and determine the appropriate legislative action to increase fines, revoke or suspend drivers licenses, and increase the cost for renewal of licenses for individuals that have violated speed restrictions; and
3. That the Department of Police determine if State and Federal Highway funds can be utilized for the purchase of additional speed trailers.

Your Committee voiced its pleasure with the roadway and public safety enhancements recommended by the Director for Makani Road and Makawao Avenue. The Director noted that the roadway improvements should be installed by the end of July. Your Committee requested that the Department monitor the enhancements to determine its effectiveness.

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Your Committee deferred the matter pending further discussion.

By correspondence dated June 19, 2003, your Committee Chair requested that the Managing Director provide Geographic Information System (GIS) maps identifying a one-mile radius surrounding certain schools for assessing impacts for increasing the school zone radius.

By correspondence dated June 23, 2003, the Director of Public Works and Environmental Management provided detailed information regarding traffic and safety enhancements for the intersection.

By correspondence dated June 26, 2003, the Department of the Corporation Counsel transmitted a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.04, MAUI COUNTY CODE, PERTAINING TO SCHOOL ZONE." The purposes of the proposed bill are to: a) increase the size of school zones from three hundred feet to one mile surrounding a school on each side of the property; b) revise Article II, Definitions, by deleting the section numbers for each definition; and c) enact non-substantive changes.

By correspondence dated June 27, 2003, Lynn Garcia expressed concerns about a request from the Department of Public Works and Environmental Management to trim their hedge along the intersection.

By correspondence dated June 27, 2003, your Committee Chair requested that the Departments of Police and Public Works and Environmental Management, and the Maui County Traffic Safety Council review and comment on a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.04, MAUI COUNTY CODE, PERTAINING TO SCHOOL ZONE."

By correspondence dated June 30, 2003, Darlene Bangasan, SASA (School Administrative Services Assistant), Makawao School, requested that the newly installed raised crosswalk along Makawao Avenue be increased in size to reduce vehicle speed.

By correspondence dated July 15, 2003, the Department of the Corporation Counsel provided a legal opinion stating that the Council does not have the authority to increase fines for speed violations within a school zone or to

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require suspension or revocation of a driver's license for traffic law violations within school zones.

By correspondence dated July 15, 2003, the Chief of Police indicated that the Department does not foresee any problems with increasing the size of school zones.

By correspondence dated July 17, 2003, the Managing Director provided GIS maps illustrating both a 300-foot and a one-mile radius surrounding certain schools.

By correspondence dated July 21, 2003, your Committee Chair transmitted sections from the Honolulu, Kauai and Hawaii County Codes, relating to school zones and traffic speeds.

At its meeting of July 31, 2003, your Committee met with the Director of Public Works and Environmental Management; a Lieutenant, Department of Police; and a Deputy Corporation Counsel.

Your Committee received an overview of the proposed bill from the Director. He stated that the Department has concerns with increasing the school zones to one mile because the purpose of school zones is to focus the driver's attention that they are in close proximity to an area where caution should be exercised. He also noted that the proposed bill will not have jurisdiction over State roads or highways. The Director further stated that reducing speeds in such a large area could impact the flow of traffic on major County collector roads.

The Director recommended that a school route plan be developed for enhancing pedestrian safety. He indicated that the Departments of Police, Public Works and Environmental Management, parents, school representatives, and pupil transportation purveyors develop such a plan.

The Lieutenant stated that the Department of Police has no objection to the proposed bill. He noted that Hawaii Revised Statutes grant the counties authority to set the speed limits within school zones. He stated that the Department will administer enforcement as set forth by the Council. He further stated that proper signage, which indicates penalties for violating speed restrictions, would be a strong deterrent to speeding in school zones.

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Your Committee noted that the State provides transportation to pupils that are beyond one mile from the entrance of the school. Your Committee further noted that safe pedestrian access, such as improved sidewalks, should be available within a one-mile radius from schools, especially for those students that must walk.

Your Committee felt that the expansion of school zones to one mile would seriously impact traffic flows on major County arterial roads. Your Committee felt that a one thousand foot school-zone radius would be more appropriate.

Your Committee requested that the proposed bill be revised to reflect a one thousand foot radius surrounding school boundaries.

In response to an inquiry by your Committee, the Director stated that speed limits for school zones apply between the hours of 7:00 a.m. and 6:00 p.m. He further noted that school-zone restrictions apply to both public and private schools.

Your Committee requested that the Department of Public Works and Environmental Management provide information relative to the number of school zones in the County and the cost for providing signage within the increase in school zones.

Your Committee voted to recommend passage of the proposed bill, as revised, on first reading and deferred the communication for further discussion.

Your Committee is in receipt of a revised proposed bill, approved as to form and legality, from the Department of the Corporation Counsel, incorporating your Committee's recommended changes.

Your Public Works and Traffic Committee **RECOMMENDS** that Bill No. _____ (2003), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.04, MAUI COUNTY CODE, PERTAINING TO SCHOOL ZONE", be **PASSED ON FIRST READING** and be **ORDERED TO PRINT**.

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Adoption of this report is respectfully requested.

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CHARMAINE TAVARES Vice-Chair

JOSEPH PONTANILLA Member

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