



**HONOLULU CITY COUNCIL**  
**KE KANIHELA O KE KALANA O HONOLULU**  
CITY AND COUNTY OF HONOLULU

**COMMITTEE ON  
TRANSPORTATION**

**Voting Members:**

Tyler Dos Santos-Tam, Chair  
Radiant Cordero, Vice Chair  
Esther Kia'āina  
Val A. Okimoto  
Andria Tupola

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**AGENDA**

REGULAR MEETING  
CITY COUNCIL CHAMBER  
TUESDAY, OCTOBER 22, 2024  
2:30 P.M.

Pursuant to Section 92-3.7, Hawai'i Revised Statutes, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures in effect for the meeting:

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulu-citycouncil.org/meetings>; (2) by televised live broadcast on 'Ōlelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulu-citycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 768-5822, charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

Remote and in-person oral testimony will be permitted on all items on the agenda when each agenda item is taken up. Each speaker may not have anyone else read their statement and is limited to a one-minute presentation.

**Remote Testimony**

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **84120771709** and Passcode **103402**.
2. To testify by videoconference visit: <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

Persons wishing to testify in-person in the Council Chamber are requested to register by 2:30 p.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

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Written testimony may be uploaded at <https://hnlldoc.ehawaii.gov/hnlldoc/testimony>, or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, e-mail address, and phone number, will be available to the public at <https://hnlldoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-3825 or send an email to [pearlene.sotelo@honolulu.gov](mailto:pearlene.sotelo@honolulu.gov).

Meeting materials are accessible at <https://hnlldoc.ehawaii.gov/hnlldoc/browse/agendas> by clicking on the appropriate Committee meeting.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Office of the City Clerk Information Section at (808) 768-5822 between 7:45 a.m. and 4:30 p.m. or send an email to [pearlene.sotelo@honolulu.gov](mailto:pearlene.sotelo@honolulu.gov) as soon as possible or at least three (3) business days before the scheduled meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

**FOR ACTION**

1. **BILL 50 (2024) – RELATING TO PARADES, STREET FESTIVALS, AND OTHER ACTIVITIES.** Amending existing ordinances governing parades, street festivals, and other activities, including those in Waikīkī, to reduce the strain on residents, visitors, employees, first responders, and businesses caused by the closure of main public thoroughfares; to ensure that the parades, street festivals, and other activities serve a public purpose; to protect the health and safety of the public; and to establish requirements specific to street festivals for the foregoing purposes. (Bill passed second reading and public hearing held 10/9/24)

PROPOSED CD1 TO BILL 50 (2024) (Submitted by Council Chair Waters) – The CD1 (OCS2024-0927/10/16/2024 7:23 AM) makes the following amendments:

- A. In SECTION 3 of the bill, amends ROH § 15-24.20(a), relating to definitions, to:
  1. Add a definition of "Applicant" to mean the applicant for a street activity permit;
  2. Combine the definitions of "Expressive Activity" and "First Amendment" by establishing the term "First Amendment Street Activity" to mean a street activity that is protected under the First Amendment of the U.S. Constitution;
  3. Add a definition of "Force Majeure Event" to mean a natural or man-made event that is not able to be reasonably foreseen and is completely beyond the control of the parties involved, including natural disasters (fire, storms, floods), governmental or societal actions (war, invasion, civil unrest, labor strikes), and infrastructure failures (transportation, energy);
  4. Replace the term "Activity" with the term "Street Activity" and use the term "Street Activity" throughout the bill;

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5. Amend the definition of "Waikiki Legacy Street Activity" to provide that:
  - a. The street activity must have been held in the Waikiki Special District annually for at least 15 consecutive calendar years, and must have obtained legacy status as of the effective date of the ordinance (i.e., as of the effective date of the ordinance, no other street activity in the Waikiki Special District may obtain legacy status); and
  - b. To maintain legacy status, the street activity must be held every calendar year after attaining legacy status; provided that the director may waive this requirement if a force majeure event does not allow for the holding of safe and appropriate street activity (for example, no street activities were held during the COVID pandemic).
  
- B. In SECTION 3 of the bill, amends ROH § 15-24.20(d) to amend the subsection heading to read: *Requirements prior to the issuance of a street activity permit*; and to:
  1. Amend subdivision (1), relating to public purpose, to:
    - a. Amend paragraph (B) to clarify that for street activities in the Waikiki special district, a minimum of \_\_\_ percent of the net profits generated by the street activity will be donated to the Waikiki Business Improvement District and Waikiki Beach Special Improvement District Association within 90 days after completion of the street activity.
  
  2. Amend the heading for subdivision (3) to read: *Non-First Amendment street activities*; and to:
    - a. Amend the heading for paragraph (A) to read: *Street activities outside of the Waikiki Special District*;
  
    - b. Amend the heading for paragraph (B) to read: *Street activities in the Waikiki Special District*;
      - i. Add a heading for subparagraph (i) to read: *Street activity permit applications*;

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- ii. Amend subparagraph (ii) to:
    - AA. Add a heading to read: *Maximum number of street activity permits issued*;
    - BB. Provide that for street festivals in the Waikiki Special District, including Waikiki legacy street festivals, the director may approve a maximum of two permits per triannual period (four-month period) of the calendar year, based on the date the street festival will be held (this would have the effect of spacing out the street festivals over the calendar year);
  - iii. Add a heading for subparagraph (iii) to read: *Waikiki legacy street activities*;
  - iv. Delete subparagraph (iv), relating to permits for Waikiki legacy street festivals (see the limitations on Waikiki street activities, including Waikiki legacy street festivals incorporated in subparagraph (ii)). Renumber subsequent subparagraphs;
  - v. Amend renumbered subparagraph (iv) to:
    - AA. Add a heading to read: *Restrictions on dates street activities may be held*;
    - BB. Reformat the subparagraph into clauses;
  - c. Amend the heading for paragraph (C) to read: *Review of a street activity permit application by the chief of police*;
3. Amend subdivision (4) to provide that any street activity permit conditions imposed by the director must be included in the street activity permit and must not unduly restrict the ability of a street activity participant to engage in First Amendment street activity. Also requires the applicant to comply with all conditions imposed by the director.

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4. Amend subdivision (6) to provide that for street activities serving alcoholic beverages, the Applicant is required to obtain an appropriate liquor license from the Honolulu Liquor Commission and provide for and implement a liquor controlled area.
- C. In SECTION 3 of the bill, amends ROH § 15-24.20(e) to amend the subsection heading to read: *Requirements after the issuance of a street activity permit*; and to:
1. Add a heading to subdivision (1) to read: *Compliance with applicable rules*;
  2. Delete former subdivision (2), which is duplicative of ROH § 15-24.20(d)(4). Renumber subsequent subdivisions;
  3. Add a heading to renumbered subdivision (2) to read: *Requirements after the conclusion of a street activity*; and
    - a. Amend paragraph (A) to delete reference to December 31, 2019 (which was the date the existing ordinance amendments were enacted and is now obsolete);
    - b. Amend paragraph (B) to delete reference to December 31, 2019 (which was the date the existing ordinance amendments were enacted and is now obsolete);
- D. In SECTION 3 of the bill, amends ROH § 15-24.20(f) to amend the subsection heading to read: *Denial, revocation, or termination of a street activity permit*, and to:
1. Amend the heading to subdivision (1) to read: *Denial of a street activity permit*;
    - a. Move to paragraph (B) former ROH § 15-24.20(f)(3), relating to the director's discretion to hold a hearing prior to the denial of an application for a street activity permit;
    - b. Move to paragraph (C) former ROH § 15-24.20(f)(4), relating to a waiver for a Waikiki street activity that is denied a street activity permit solely due to the limitation on the number of street activity permits in the Waikiki special district;

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- i. Amend subparagraph (iv) to add a heading to read: *Maximum number of waivers granted*; and
    - ii. Amend subparagraph (iv) to provide that the mayor may grant a maximum of four waivers for street activities in the Waikiki special district per calendar year; provided that the mayor may grant only one waiver per quarterly period (three-month period) of the calendar year, based on the date the street activity will be held;
  2. Amend the heading to subdivision (2) to read: *Revocation of a street activity permit*; and to:
    - a. Add a paragraph (B) to provide that a permittee whose street activity permit has been revoked may pursue any remedy provided by law;
  3. Add a new subdivision (3) with a new heading to read: *Termination of a street activity permit*; and to:
    - a. Add a paragraph (B) to provide that a permittee whose street activity permit has been terminated may pursue any remedy provided by law;
- E. In SECTION 3 of the bill, amends ROH § 15-24.20(g) to separate the subsection into subdivisions relating to the adoption of rules, permit denial hearings, and including a list of Waikiki legacy street activities on the department's website.
- F. In SECTION 4 of the bill, adds direction to the Revisor of Ordinances that in SECTION 3 of the ordinance, the Revisor of Ordinances shall, pursuant to the Revisor's authority under ROH § 1-16.3(b)(1), replace the phrase "effective date of this ordinance" or similar phrase used in the codified language of the ordinance with the actual date on which the ordinance takes effect.
- G. Makes miscellaneous technical and nonsubstantive amendments.

2. **BILL 44 (2024), CD1 – RELATING TO TRAFFIC SAFETY.** Promoting public safety on roadways in the City and County of Honolulu by establishing more appropriate speed limits on certain streets. (Bill passed second reading and public hearing held 10/9/24)

PROPOSED CD2 TO BILL 44 (2024), CD1 (Submitted by Councilmember Dos Santos-Tam) – The proposed CD2 (OCS2024-0930/10/16/2024 2:35 PM) makes the following amendments:

- A. In SECTION 2, amends ROH Section 15-7.1 by amending its title to read: **"§ 15-7.1 Speed restrictions—Traffic calming measures."**
- B. In SECTION 4, amends ROH Section 15-12.3(a) by removing the applicability of the section to "other" work vehicles [added by Bill 44 (2024), CD1], resulting in the proposed applicability only to vehicles used in agricultural work; and conforming the section title to that applicability.
- C. Adds a new SECTION 5 to repeal ROH Section 15-14.4(b), which prohibits the operation of railroad trains on, over, or across certain portions of Waiakamilo Road and Nimitz Highway during specified time periods, and re-numbers subsequent SECTIONS.
- D. Makes miscellaneous technical and nonsubstantive amendments.

PROPOSED CD2 TO BILL 44 (2024), CD1 (Submitted by Council Chair Waters) – The CD2 (OCS2024-0934/10/16/2024 4:26 PM) makes the following amendments:

- A. In SECTION 2, amends ROH Section 15-7.1 ("Speed restrictions") to revise the proposed speed limit on any roadway within public parks and public school grounds from the proposed 20 miles per hour (mph) to 15 mph.
- B. In SECTION 3, amends ROH Section 15-7.2(a) to create a new 15 mph speed limit zone applicable to roadways bordering school grounds during the hours of 6:00 a.m. to 6:00 p.m. on school days, unless otherwise specified by the Director of Transportation Services; and removes the same roadways from the proposed 20 mph speed limit zone in Section 15-7.2(j).
- C. Makes miscellaneous technical and nonsubstantive amendments.

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3. **BILL 56 (2024) – RELATING TO THE USE OF MALLS.** Addressing the use of pedestrian malls. (Bill passed first reading 10/9/24)

**INFORMATIONAL BRIEFING**

4. **UPDATE BY THE DEPARTMENT OF TRANSPORTATION SERVICES ON THE CITY’S ELECTRIC BICYCLE WORKING GROUP.**

**EXECUTIVE SESSION**

If the need arises with respect to any item on this agenda, then pursuant to Hawai'i Revised Statutes Sections 92-4 and 92-5(a)(4), the Committee may consult in a closed meeting with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

TYLER DOS SANTOS-TAM, Chair  
Committee on Transportation