

COUNCIL OF THE COUNTY OF MAUI
MULTIMODAL TRANSPORTATION
COMMITTEE

March 8, 2019

Committee
Report No. _____

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

Chair and Members:

Your Multimodal Transportation Committee, having met on February 11, 2019, makes reference to County Communication 17-474, from the Director of Public Works, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.030, MAUI COUNTY CODE, RELATING TO PROHIBITIONS IN CERTAIN PLACES."

The purpose of the proposed bill is to amend the Traffic Code of the County of Maui to prohibit vehicles from stopping, standing, or parking in medial strips.

Your Committee notes the Traffic Code of the County of Maui includes the following definition:

"Medial strip' means a strip or area lying along the middle and between the paved portions of a highway which is designed to divide vehicular traffic on such highway into two opposite directions. The term shall not include traffic lines painted on a highway."

Your Committee notes the Public Works Commission, on October 25, 2017, recommended the Council pass the proposed bill.

A representative from the Department of Police said the parking of vehicles in medial strips creates safety hazards. However, the Maui County Code does not currently prohibit parking in medial strips.

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The Deputy Director of Public Works said the prohibition of stopping, standing, or parking a vehicle in medial strips would only apply to medial strips in County-owned roadways.

Your Committee amended the proposed bill to rearrange the words “stop, stand, or park” to read “park, stop, or stand” in Section 10.48.030(A), Maui County Code, to clarify that the prohibition of stopping, standing, or parking pertains exclusively to vehicles.

Your Committee voted 6-0 to recommend passage of the revised proposed bill on first reading and filing of the communication. Committee Chair Sugimura and members Kama, King, Lee, Paltin, and Sinenci voted “aye.” Committee Vice-Chair Hokama was excused.

Your Committee is in receipt of a revised proposed bill, entitled “A BILL FOR AN ORDINANCE TO PROHIBIT PARKING IN A MEDIAL STRIP,” approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee’s recommended revisions and nonsubstantive revisions.

Your Multimodal Transportation Committee **RECOMMENDS** the following:

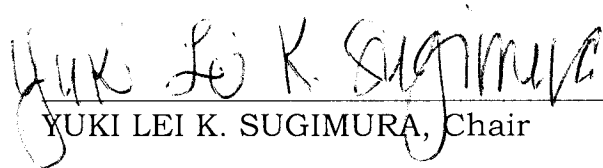
1. That Bill _____ (2019), as revised herein and attached hereto, entitled “A BILL FOR AN ORDINANCE TO PROHIBIT PARKING IN A MEDIAL STRIP,” be **PASSED ON FIRST READING** and be **ORDERED TO PRINT**; and
2. That County Communication 17-474 be **FILED**.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



YUKI LEI K. SUGIMURA, Chair

mt:cr:19006aa:jgk

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE TO PROHIBIT PARKING IN A MEDIAL STRIP

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 10.48.030, Maui County Code, is hereby amended to read as follows:

“10.48.030 Prohibited in certain places. A. No person shall park, stop, or stand [or park] a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the direction of a police officer or traffic control device, in any of the following places:

1. On a sidewalk[;].
2. Within four feet of either side of a public or private driveway[;].
3. Within an intersection[;].
4. Within ten feet of a fire hydrant; provided, however, that this provision shall not apply when the operator of a vehicle stops, stands, or parks such vehicle at or near a fire hydrant while and as long as [he] the driver remains seated in the driver’s seat[;].
5. On a crosswalk[;].
6. Within twenty feet of a crosswalk at an intersection[;].
7. Within thirty feet upon the approach to any flashing beacon or stop sign located at the side of a roadway[;].
8. Within seventy-five feet upon any street or highway to any traffic control signal, unless extended by official signs[;].
9. Within fifty feet of the nearest rail of a railroad crossing[;].
10. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic[;].
11. On the roadway side of any vehicle stopped or parked at the edge of a roadway[;].
12. Upon any bridge and for fifty feet on either side of any bridge or other elevated structure upon a highway or within a highway tunnel[;].

13. Any place where official signs prohibit stopping[;].

14. In front of the entrance of any theater during the hours moving pictures or legitimate play productions are being exhibited therein; provided, however, that this provision shall not apply when the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers[;].

15. On either side of any street with a traffic way of eighteen feet or less when official signs are erected, giving notice thereof[;].

16. Within that portion of a cul-de-sac or a dead end street between official signs prohibiting stopping[;].

17. In front of a business or residential entryway gate, hedge opening, fence opening, or [rock/concrete] rock or concrete wall opening, where there is no sidewalk along the frontage of the property[;].

18. In front of an official United States Postal Service mailbox, where there is no sidewalk, from Monday through Saturday between the hours of [seven-thirty] 7:30 a.m. and [four-thirty] 4:30 p.m.; provided, however, that this provision shall not apply to postal delivery vehicles.

19. In a medial strip.

B. No person shall move a vehicle not lawfully under [his] the person's control into any such prohibited area or away from a curb to such a distance as is unlawful.

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:



MICHAEL J. HOPPER
Department of the Corporation Counsel
County of Maui
2019-0100/2017-1189
MT-6 2019-02-26 Ord Amd 10.48.030