

# Government Relations, Ethics, and Transparency Committee on 2022-08-16 9:00 AM

Meeting Time: 08-16-22 09:00

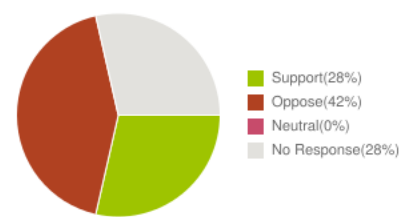
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Government Relations, Ethics, and Transparency Committee on 2022-08-16 9:00 AM	08-16-22 09:00	3	7	2	3	0

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



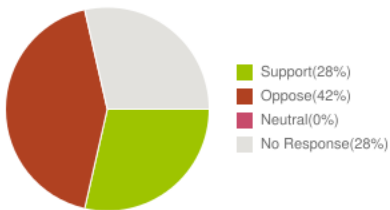
**Government Relations, Ethics, and Transparency Committee on 2022-08-16 9:00 AM**  
**08-16-22 09:00**

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	1	0	1	0
GREAT-44 CC 21-453 BICYCLE-TOUR PUBLIC SAFETY AND RELATED LITIGATION CONCERNS (GREAT-44)	5	1	2	0
GREAT-15(1) Reso 22-183 APPOINTMENTS TO COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS (RESOLUTION 22-183, RELATING TO THE APPOINTMENT OF CHARLEEN "NAOMI" CROZIER) (GREAT-15(1))	1	1	0	0

**Sentiments for All Agenda Items**

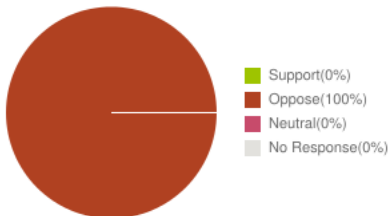
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

**Overall Sentiment**



**Agenda Item: eComments for A G E N D A**

**Overall Sentiment**



**Guest User**

Location:

Submitted At: 7:12am 08-16-22

Aloha GREAT Committee members,

My name is Lewis Upfold. Maui resident my entire life, Upcountry since middle school and now live in Haiku with my Wife and 4 children, and I manage Haleakala Bike Company, Bike Maui. Thank you for allowing me to read this prepared statement.

I want testify of my adamant opposition to GREAT-44, not because it looks to address a long-standing concern of upcountry citizens, but because it's unwarranted overreaching regulation, that comes as a result of the

disappointing conduct of this committee. I mean no disrespect to anyone personally, but professionally I find it difficult to condone the actions taken or lack thereof by this committee. On multiple occasions I have invited all committee members to witness our operations firsthand. I am frustrated that not one committee member took the opportunity to visit us to learn more about what we do and who we are, and what we can do to help.

Council Member Kama was the only committee member to reach out to have a conversation after that initial invite. The virtual meeting was a productive and enlightening conversation for both sides. Thank you, Councilmember Kama, for reaching out and displaying the valued traits of community representative.

I can't think of a better way to address a community concern than being completely informed on the subject from all sides? That's what the Maui County Dept. of Public Works did when they conducted the Downhill Bike Study in 2010 shortly after the industry peaked. Glen Kimura himself went as far as to DO the bike ride to become better informed. Though he stated he did not feel it was not an unsafe experience he was able to make some recommendations which have been available for the County since the study 12 years ago, when the industry was much much larger than it is now

It's not only good practice to do this, but an obligation as elected representatives of our community to be informed. Doing anything less would be downright negligent. With hundreds of local residents livelihoods on the line, I'd hope it is worth the effort.

I understand Committee members did have a site visit on Haleakala and met with select Kula residents to discuss the route and regulating our businesses. We unfortunately were not informed about this meeting, nor were we invited. Our experience in the industry could have been useful, so I question why didn't you consider inviting industry reps to this site visit instead of having that conversation amongst yourselves?

Other questions I have include, Are you aware of the safety features installed in our operations? Do you know the procedures we already take to accommodate local traffic concerns? Have you thought about the state and size of the industry now versus what it was a decade ago? Did you consider the ramifications that will affect the local businesses, residents, and hard-working employees, make a living in this harsh economic climate. Unfortunately, many of those employees can't be here to express their concern for their careers because they work during these business hours. Speaking as a voice for those that can't be here, I assure you that like me they are greatly concerned for their livelihood, their families and their wellbeing.

I want to recognize that Chair Molina did reach out to Phil Feliciano who serves as a resource on this issue. Phil is also our Director of operations. We were excited about the discussion with Chair Molina and the prospect of being able to work together to find a solution in order to preserve businesses. Following a suggestion by Chair Molina we came up with a proposal that would satisfy many concerns regarding the downhill bike industry. This simple proposal presented 5 points that truly is a compromise with concessions being made by these companies. But it's something that would not cost any local jobs, would support local businesses, allow informative tours, all while addressing the main concern of the community.

Unfortunately our excitement to collaborate and compromise faded. Needless to say it was absolutely heartbreaking to see the revised ordinance released, not with these sacrifices in mind, but those exact concessions being added to the already extreme restrictions.

Over-regulating organized tours will not help the downhill situation, it will make it worse. By pushing out experienced business you will only open the door for unregulated illegal operations and independent rentals all. The result would be not too unlike how illegal vacation rentals that have had a negative impact on local neighborhoods. Or independent travelers in their rental cars have tarnished the road to Hana experience. When demand remains, commercial tours are essential to providing safe, informative, and enjoyable experiences for our visitors. They also are able to best address the concerns of the community. We always have been open to discussion and reasonable suggestions.

Unfortunately this ordinance as it is written, suggests regulation, but in reality spells elimination. Elimination of jobs and businesses. Prohibiting tours to above 4500 ft and prohibiting self-guided tours will do just that.

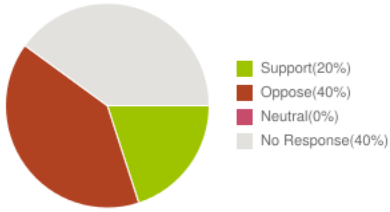
I want to express my grave concern for my team, their families, and the other operators, the partners and vendors we work with, as well as the merchants in Kula, Makawao, Haiku and Paia which welcome and rely on our guests to support their business. This industry has been painted as a nuisance by some, but has been a blessing to many in our community. I do believe we have compromised solutions that can be a positive win for all sides. Only If we can have that fair and balanced discussion.

Mahalo

Lewis Upfold

COO – Haleakala Bike Company, dba Bike Maui

## Overall Sentiment



### Guest User

Location:

Submitted At: 1:24pm 08-16-22

Aloha Committee Chair Molina, VC Rawlins, and Council Members,

I hate to be sarcastic but maybe the Mayor will listen this time in his campaigning. Too Late!

How many Resolutions or Bills have to be written to save a life. I understand that corporate counsel has to fine tune the legality part of the bill but again how much more. We started back in September of 2021. Aside from the struggles during Covid, we are back on track. I've read the changes from the March bill to the revisions made on the August 10th Bill. Hard specifics were thought out for the protection of the County as well as the State.

There is one concern that was brought up in my previous testimony that would fall under section 5.22.025 concerning bike tours in the Makawao-Pukalani-Kula and Pa'ia-Ha'iku Community plan areas. I strongly urge you to prohibit bike tours down Baldwin Avenue onto Hana Hwy. Only Kula Highway and Haleakala Crater Road are mentioned. This is very critical. It is still occurring now and they meet at the entrance of Baldwin Park to collect their bikes.

In all of the resolutions or bill writing that we do, we need to understand, if we expect the bike tours to operate safely, we need to provide proper bike lanes, markings and proper signs for bikers and vehicles.

As always, Mahalo for allowing me to share my mana'o. Ke Akua's Blessings.

Aunty Mopsy  
(Francine K. Aarona)

### Guest User

Location:

Submitted At: 1:23pm 08-16-22

Dick Mayer August-16-2022

5.22.025 Commercial bicycle tours operating in the Makawao-Pukalani-Kula and P\_ 'ia-Ha'ik\_ community plan areas.

A. It is unlawful for any business to conduct or allow unguided commercial bicycle tours on [Kula Highway] Haleakala Highway (State Highway 377), Kekaulike Highway (State Highway 377), and Haleakal\_ Crater Road (State Highway 378).

B. It is unlawful for any business to conduct guided commercial bicycle tours on [Kula Highway] Haleakala Highway (State Highway 377), Kekaulike Highway (State Highway 377), below the 3 mile marker on Haleakala Crater Highway. [4,500-foot elevation.]

C. No more than twelve bicycle riders per guided commercial bicycle tour are allowed, excluding employee guides.

D. Employee guides must ride at the front of tour groups.

E. Guided [and unguided commercial bicycle] tours may only be conducted Monday through Saturday between [8:00 a.m.] sunrise and 1:30 p.m.

F. Permit holders must require riders to sign the bike pono pledge, which states: "I will bike pono, with awareness of my surroundings, attention to my bike speed, and utmost safety for myself [and cars to share the roads.] and the cars that share the roads."

**Guest User**

Location:

Submitted At: 8:34am 08-16-22

The proposed revisions to this ordinance would simply make these tours virtually inoperable and could have devastating repercussions for these businesses and the Maui residents that they employ. I strongly oppose these revisions, as I believe the responsible owners of these businesses have already made drastic changes to their tours to accommodate residents and make their tours safer for riders and vehicle operators sharing the roadways. As mentioned by another commenter, limiting the tour to only 4500ft makes it obsolete and takes any appeal out of visitors wanting to book these tours. These businesses employ many Maui residents that will be out of work without the continuation of these tours and without work and with the exponentially rising cost of living on island, they will not be able to support their families any longer. Please consider the wider impact that this ordinance will have on the surrounding community and their families as it won't be insignificant.

**Guest User**

Location:

Submitted At: 7:29am 08-16-22

This ordinance is TOO restrictive. Regulation is good, and I would find it difficult to find anyone that doesn't want to make things safer for everyone on the road including bikers.

But ending the ride at 4500 ft? That absolutely destroys the appeal of the ride. Summit to Sea is what they are looking for. What visitor will get excited at the prospect of a 6 mile bike ride, especially when its cut down from 23. I can only imagine all the illegal operators and rentals happening unregulated just so they can get the full ride in. You can't cut out 70% of a product and expect that company to sell it just as well, without having to downsize and cut jobs.

Prohibiting unguided tours is also too over reaching. Some of the bike companies offer ONLY unguided tours. Are you outright shutting down their business? I think there is a misconception about unguided tours too. Despite the name, unguided, they are very much guided in the sense that they are provided a tour on the way up along with extensive safety briefings and thorough instructions. Without companies offering this popular option in an organized and safe way, illegal operators will be doing in in an unorganized and unsafe way.

Whatever happened to the KCA draft which WAS a compromise between the community and the industry. They had an agreement to follow a best practices document, be permitted, and not operate during peak hours. Both sides agreed that this would be a good solution and a win for both sides. Why did the council abandon an actual compromised ordinance and created one that is so restrictive that it will without a doubt force these operations out of business and cost dozens, maybe hundreds of jobs.

Though the issue is important, this ordinance is not the solution, not by a long shot. If they can get rid of the 4500ft limit and the prohibiting unguided tours, other items can be adhered to. Please reconsider the terms in this ordinance, and understand what's at stake here. The livelihoods of many hard working, local citizens.

**Dick Mayer**

Location:

Submitted At: 1:30pm 08-15-22

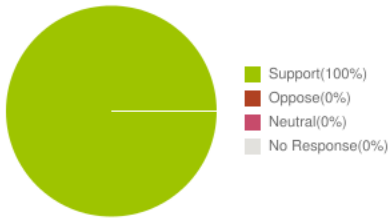
**BICYCLE-TOUR PUBLIC SAFETY AND RELATED LITIGATION  
CONCERNS (GREAT-44)**

I support the revisions as long as the changes included in my attached letter are included. I have included both a MSWord and PDF version of my testimony.

Dick Mayer

Agenda Item: eComments for GREAT-15(1) Reso 22-183 APPOINTMENTS TO COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS (RESOLUTION 22-183, RELATING TO THE APPOINTMENT OF CHARLEEN "NAOMI" CROZIER) (GREAT-15(1))

Overall Sentiment



Guest User

Location:

Submitted At: 10:02am 08-15-22

Congratulations Naomi, You make your Family Proud!

Robyn and Phil Feliciano

## Proposed Revised Bicycle Ordinance 5.22

Dick Mayer August 11, 2022

From the Kula Community's perspective, Section 5.22.025 is the most significant. Most of the revisions are fine, but there remain several errors and inconsistencies. These problems are marked in orange and are described in the right column.

**5.22.025** Commercial bicycle tours operating in the Makawao-Pukalani-Kula and Pā'ia-Ha'ikū community plan areas.

- A. It is unlawful for any business to conduct unguided commercial bicycle tours on **Kula Highway** and Haleakalā Crater Road.
- B. It is unlawful for any business to conduct guided commercial bicycle tours on **Kula Highway** and on Haleakalā Crater Road below the 4,500-foot elevation.
- C. No more than twelve bicycle riders per guided commercial bicycle tour are allowed, excluding employee guides.
- D. Employee guides must ride at the front of tour groups.
- E. Guided **and unguided commercial bicycle** tours may only be conducted Monday through **Saturday** between **8:00 a.m.** and 1:30 p.m.
- F. Permit holders must require riders to sign the bike pono pledge, which states: "I will bike pono, with awareness of my surroundings, attention to my bike speed, and upmost safety for myself **and cars to share the roads.**"

### **CORRECTED WORDING AND REASONS**

**Kula Highway** is the incorrect name. Kula Highway (State Highway 37) runs from Pukalani to Keokea. The correct highway name here is "**Haleakala Highway (State Highway 377)**".

The corrected statements should read:

- A. It is unlawful for any business to conduct or allow unguided commercial bicycle tours on **Haleakalā Highway (State Highway 377)** and Haleakalā Crater Road (State Highway 378).
- B. It is unlawful for any business to conduct guided commercial bicycle tours on **Haleakalā Highway (State Highway 377)** and on **Haleakalā Crater Road (State Highway 378)** below the 4,500-foot elevation.

For E. Leave out the words [**and unguided commercial bicycle**] since they are illegal (See A, above.) Also we see no reason to require starting at 8:00am or prohibiting Sunday operations. Guided tours can start at sunrise and operate Sundays. **E. Could read:**

E. Guided tours may only be conducted between sunrise and 1:30 p.m.

For F. Change wording from [**and cars to share the roads**] to and the cars that share the roads.