

# Government Relations, Ethics, and Transparency Committee on 2022-09-08 9:00 AM - Reconvened from 08/16/2022 at 9:00 a.m.

Meeting Time: 09-08-22 09:00

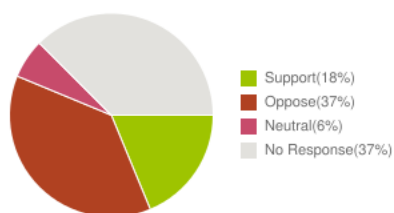
## eComments Report

| Meetings   | Meeting Time   | Agenda Items | Comments | Support | Oppose | Neutral |
|--|----------------|--------------|----------|---------|--------|---------|
| Government Relations, Ethics, and Transparency Committee on 2022-09-08 9:00 AM - Reconvened from 08/16/2022 at 9:00 a.m. | 09-08-22 09:00 | 3            | 16       | 3       | 6      | 1       |

### 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



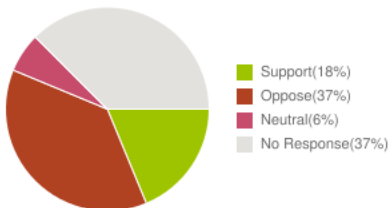
**Government Relations, Ethics, and Transparency Committee on 2022-09-08 9:00 AM - Reconvened from 08/16/2022 at 9:00 a.m.**  
**09-08-22 09:00**

| Agenda Name   | Comments | Support | Oppose | Neutral |
|---|----------|---------|--------|---------|
| A G E N D A   | 4        | 1       | 2      | 0       |
| GREAT-44 CC 21-453 BICYCLE-TOUR PUBLIC SAFETY AND RELATED LITIGATION CONCERNS (GREAT-44)  | 11       | 2       | 3      | 1       |
| 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        | 0       | 1      | 0       |

### Sentiments for All Agenda Items

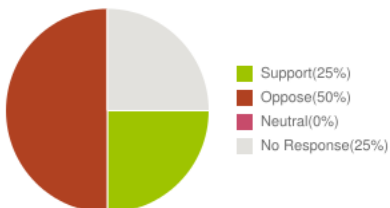
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



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

#### Overall Sentiment



### Guest User

Location:

Submitted At: 8:42am 09-08-22

The fact the the county council has yet to appropriately evaluate the operations of the bike companies is enough to delay this bill. The extreme measures proposed do not reflect compromise, and do not take any account of how these businesses operate. It should be the committees obligations to learn and understand the industry and their operations, visit them, witness the activity in action, meet the staff, and only then make suggestions on how they can improve the situation. Both Unguided and guided tour operations go a great deal in providing a safe and enjoyable experience. But maybe there is just that one thing missing that an outside source can suggest.

Complete ban is not the answer.

They have taken what should be an opportunity to regulate specific aspects of the tours, to see if they work or not, but instead have decided to do a nearly complete ban on the tours. This will affect too many, and the lack of communication from the council to the affected businesses is concerning. An ordinance that addresses the concerns with less stringent restrictions should be considered to see if that's all that's needed before this hyper extreme ordinance.

## **William Campbell**

Location:

Submitted At: 12:26am 09-08-22

Aloha, please take a moment to read and consider the following.

I have added attachments in PDF formats.

A Bill for an Ordinance Amending Chapter 5.22, Maui Code related to Bicycle

Tour Businesses (GREAT-44)

Petition to Regulate Bike Tours on Maui:

My name is William Campbell, I am the owner of Maui Easy Riders. I started my business in 2010 after working for three other guided bike tour companies. I have been safely conducting guided bike tours on Haleakala for 15 years, I have guided thousands of trips from the summit and the 6500 ft level all the way to Paia Town, and I have never once had to call an ambulance because of an accident. I am pleading my case, and point of view with you to amend the Great 44 so that it offers a solution to the current problem, instead of ending what can be fixed without trying to regulate it in a safe manner.

Bike tour safety, attempts at regulating bike tours, and the effect bike tours have on traffic have all been largely ignored until now. A better way to put it, is that less than the bare minimum has been done to implement change from those that are ultimately responsible for doing so, literally for decades. I believe that I am the leading expert in this field because of my track record, my daily involvement on bike tours, my many years of experience, and my willingness to compromise on how I conduct my bike tours through my permitted business.

With all due respect, I have to add that I have attempted, on multiple occasions, to contact Mike Molina with my thoughts and suggestions on this topic. None of my phone calls, nor the email I sent to him have been returned. I am including the email that I sent to his office on Monday, March 7th. As you can clearly see from that email, and from these proposed amendments/regulations, that I am sincerely trying to offer my expertise, and compromise in a way that is beneficial to the valid concerns at hand. I am clearly offering a way to make guided bike tour companies operate in a safe and responsible manner for many years to come.

The Solutions and Why they Will Work:

- Do not allow any unguided bike tours to operate. This type of tour is obviously what is garnering the vast majority of complaints from local residents concerning traffic. I know this because I have been listening to testimonies on the Great 44 and I have been on the road seeing it with my own eyes for the past 15 years.

Allowing unguided tours to operate along with guided bike tours as a part of any bill is continuing to turn a blind eye to those that have created the problems we're dealing with right now. The vast majority of bike accidents occur on unguided tours in the Haleakala Downhill

Industry. I know this because I witness these accidents on a regular basis.

- Regulate all guided bike tours to a ratio of 1 guide per 2 guests on all guided tours. This will make all guided tours easy to manage for the guide. This will also make all guided tours a non-issue for traffic concerns because traffic will not have to contend with large groups of up to 14 bike riders (including the guide) which is what we are currently dealing with.
- Regulate all guided bike tours to operate “without” a van following behind the group, having the van ahead of the group at all times, parked, and not blocking traffic in any way. Van Drivers and Bike Tour Guides can still communicate safely and always know where each other are on the roadways with 2 way radios. This will create an environment where traffic is never waiting behind a bike tour, or a bike van that is blocking traffic for the participants.
- Regulate all guided bike tours to operate in a manner that the group (one guide and 2 participants) never be larger than a total of 3 riders. Bike Tour Companies can hire more guides, create more jobs and show the community that they are willing to operate safely, and operate with respect to local traffic concerns. Bike Tours can be spaced out, staggered so that they never bunch up together.
- Regulate all guided bike tours to only operate during the hours of 9am - 1pm, 6 days per week, with no bike tours operating on Wednesdays. School lets out early on Wednesdays, this eliminates any time issues associated with that day. As a guide and business owner I can say with 100% certainty that the days with the least amount of traffic are Saturdays and Sundays.
- Regulate all guided bike tours to require that all participants be at least 16 years of age. This is the age in which most teens learn to drive, learn the rules of the road, learn how to become aware of traffic and traffic laws.
- Regulate all guided bike tours to require that all participants consider themselves to be experienced bike riders, and 100% confident they can complete the ride safely after knowing everything they need to know. This will create an environment that is void of inexperienced riders.
- Regulate all guided bike tours to have detailed information on their websites concerning all aspects of the ride in which they will be taking part. This will eliminate those participants who do not realize what they have signed up for.

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- Regulate all guided bike tours to use the shoulder space when it is safe to do so. This will eliminate the current problem of bikers being in the road when cars are behind them.

-What will happen if the county votes to ban all guided bike tours conducting tours on the path they have been taking since 1983:

- Visitors to Maui will still find a way to bike down Haleakala on the current route that is on the chopping block, and they will do it without a guide, or with a guide that is operating an illegal business. There are already going to be bikers on the roadways, if they are in a group of 3 or less (including the guide) and obviously with a guide, this will be a direct result of the county taking action to regulate the industry in a safe and responsible manner. The majority of visitors will buy and use the services that they know are permitted and legal, we should not create a pathway to a rogue and illegal

industry when there is a solution that will work.

- The void will be filled by illegal tour operators if the county votes to ban the current route. If guided bike tours are permitted to conduct tours in a safe manner they will be able to report illegal tours on a daily basis because it will be in their best interests to do so. This will force illegal tour operators to get permits and conduct safe tours as regulated by the county. If there are no regulations it will create a different type of chaos on the roadways, possibly much worse than what the current climate offers.
- The companies that have shown they are unwilling to compromise, and unwilling to be truthful about their operations will hire lawyers and bring lawsuits against the county. This will cost the county money to defend their decision to shut down the current route. Instead of banning the tour routes altogether the county has an opportunity to regulate them in a way that will make them safer and let traffic flow unimpeded. The goal should be to create a set of regulations for all guided bike tours to follow if they wish to continue to use the same bike routes they have always used. I ask and plead that you amend the ordinance so that it is a solution based alternative for everyone involved. Please feel free to reach out to me with any questions or concerns.

With Aloha,  
William Campbell  
Maui Easy Riders

**Steve Sutrov**

Location:

Submitted At: 2:37pm 09-07-22

Re: GREAT-44 Bicycle Tour Regulation

Aloha Chair Molina, and the Maui County GREAT Committee,

Thank you for again addressing this important roadway safety dilemma that negatively affects hundreds of Maui commuting citizens, and tourist visitors daily.

Please adopt the recommendations of:

Ending self guided tours

Limit the tours to no lower than 4500' on Haleakala Crater Road

Limit hours and days of operation

Limit tour group size

These logical recommendations are not anti business, anti tourist, NIMBY requests. There are many communities requesting for reasons of safety for our many families, friends, and visitors.

A quick sampling of over 1000 citizens signed a petition in just a week asking for real action, real regulation, and an attempt at gaining safer roadways. Thousands more in our Upcountry Communities are watching, and waiting for this obvious needed regulation to finally happen.

Yes we need bike lanes, separate from the roads would be best. But this is not going to happen for years. We have control over preventing many injuries, and possible deaths by regulating this dangerous visitor attraction now.

Upcountry highways and roads are a step up from "country roads", but many are narrow, winding, negative banked, technically challenging, dirty roads. It's hard enough for us that have been driving them for over 50 years, dealing with unskilled, uncivilized drivers, and thousands of lost tourists. Allowing trains of bikes down these roads is crazy dangerous for everyone.

Yes, their business model will have to change. Hopefully some will be able to make it work. I suggest we all start

working with private landowners to develop a separated bikeway up and down the mountain, for bikes, walkers, and horses. We are only going to have more and more auto traffic on the same roads for years to come. Have a Pono vision, then work on it. Thank you for your important work.  
Steve Sutrov, Kula

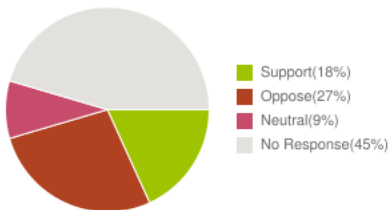
**Guest User**

Location:  
Submitted At: 5:20pm 08-29-22

Thanks for your time, as a long time upcountry resident I can't stress enough how dangerous the bike activity is for our roads and our communities. Over the years I have witnessed to many accidents and near accidents to count. Back in the 80s when this activity started there was one group, now there are well over half a dozen. This is not an inconvenience to people this is a dangerous hazard, these single lane roads were not built for this type of activity. Please, help make our roads safer for drivers and riders alike. At certain times of the day it is a downhill bike path as you finally get past one group there is another one right in front of it. I am not anti business or anti bikes, I am pro safety. Mahalo Kathleen Warman

Agenda Item: eComments for GREAT-44 CC 21-453 BICYCLE-TOUR PUBLIC SAFETY AND RELATED LITIGATION CONCERNS (GREAT-44)

Overall Sentiment



**Guest User**

Location:  
Submitted At: 12:44am 09-08-22

A Bill for an Ordinance Amending Chapter 5.22, Maui Code related to Bicycle

Tour Businesses (GREAT-44)

Petition to Regulate Bike Tours on Maui:

My name is William Campbell, I am the owner of Maui Easy Riders. I started my business in 2010 after working for three other guided bike tour companies. I have been safely conducting guided bike tours on Haleakala for 15 years, I have guided thousands of trips from the summit and the 6500 ft level all the way to Paia Town, and I have never once had to call an ambulance because of an accident. I am pleading my case, and point of view with you to amend the Great 44 so that it offers a solution to the current problem, instead of ending what can be fixed without trying to regulate it in a safe manner.

Bike tour safety, attempts at regulating bike tours, and the effect bike tours have on traffic have all been largely ignored until now. A better way to put it, is that less than the bare minimum has been done to implement change from those that are ultimately responsible for doing so, literally for decades. I believe that I am the leading expert in this field because of my track record, my daily involvement on bike tours, my many years of experience, and my willingness to compromise on how I conduct my bike tours through my permitted business.

With all due respect, I have to add that I have attempted, on multiple occasions, to contact Mike Molina with my thoughts and suggestions on this topic. None of my phone calls, nor the email I sent to him have been returned. I am including the email that I sent to his office on Monday, March 7th. As you can clearly see from that email, and from these proposed amendments/regulations, that I am sincerely trying to offer my expertise, and compromise in a way that is beneficial to the valid concerns at hand. I am clearly offering a way to make guided bike tour companies operate in a safe and responsible manner for many years to come.

The Solutions and Why they Will Work:

- Do not allow any unguided bike tours to operate. This type of tour is obviously what is garnering the vast majority of complaints from local residents concerning traffic. I know this because I have been listening to testimonies on the Great 44 and I have been on the road seeing it with my own eyes for the past 15 years. Allowing unguided 808.344.9489 BILLY@MAUIEASYRIDERS.COM

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tours to operate along with guided bike tours as a part of any bill is continuing to turn a blind eye to those that have created the problems we're dealing with right now. The vast majority of bike accidents occur on unguided tours in the Haleakala Downhill Industry. I know this because I witness these accidents on a regular basis.

- Regulate all guided bike tours to a ratio of 1 guide per 2 guests on all guided tours. This will make all guided tours easy to manage for the guide. This will also make all guided tours a non-issue for traffic concerns because traffic will not have to contend with large groups of up to 14 bike riders (including the guide) which is what we are currently dealing with.

- Regulate all guided bike tours to operate "without" a van following behind the group, having the van ahead of the group at all times, parked, and not blocking traffic in any way. Van Drivers and Bike Tour Guides can still communicate safely and always know where each other are on the roadways with 2 way radios. This will create an environment where traffic is never waiting behind a bike tour, or a bike van that is blocking traffic for the participants.

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- Visitors to Maui will still find a way to bike down Haleakala on the current route that is on the chopping block, and they will do it without a guide, or with a guide that is operating an illegal business. There are already going to be bikers on the roadways, if they are in a group of 3 or less (including the guide) and obviously with a guide, this will be a direct result of the county taking action to regulate the industry in a safe and responsible manner. The majority of visitors will buy and use the services that they know are permitted and legal, we should not create a pathway to a rogue and illegal industry when there is a solution that will work.
- The void will be filled by illegal tour operators if the county votes to ban the current route. If guided bike tours are permitted to conduct tours in a safe manner they will be able to report illegal tours on a daily basis because it will be in their best interests to do so. This will force illegal tour operators get permits and conduct safe tours as regulated by the county. If there are no regulations it will create a different type of chaos on the roadways, possibly much worse than what the current climate offers.
- The companies that have shown they are unwilling to compromise, and unwilling to be truthful about their operations will hire lawyers and bring lawsuits against the county. This will cost the county money to defend their decision to shut down the current route. Instead of banning the tour routes altogether the county has an opportunity to regulate them in a way that will make them safer and let traffic flow unimpeded. The goal should be to create a set of regulations for all guided bike tours to follow if they wish to continue to use the same bike routes they have always used. I ask and plead that you amend the ordinance so that it is solution based for everyone involved. Please feel free to reach out to me with any questions or concerns.

With Aloha,

William Campbell  
Maui Easy Riders

### **William Campbell**

Location:

Submitted At: 12:29am 09-08-22

My email to Mike Molina that was ignored:

Aloha Mr. Molina,

I am writing to ask for an opportunity to have an audience with you to address all of the valid concerns you are currently working on pertaining to the Maui Downhill Bicycle Industry.

I am currently the foremost expert in the industry, and I know with 100% certainty that I am the most qualified individual to answer all of the important questions that are being asked. I can provide simple solutions to fix all of the issues that need to be addressed.

I have long believed that regulation and safety measures should, and must be enforced if there is any hope for the industry to survive. I have all of the information needed to fix all of the problems pertaining to bicycle accidents and traffic concerns. I challenge anyone and everyone to ask me all of the tough questions, either in private or in a public forum.

I also challenge anyone to put their resume pertaining to the Maui Downhill Bicycle Industry next to mine. I have more valuable experience and knowledge about the current industry operations than anyone. I have the safest track record compared to any other bike tour company, and I practice what I preach when it comes to the manner in which I safely operate my tours.



I agree with so many of the valid complaints and concerns from the community, from the KCA, and from you. I also agree with many of the ideas you are presenting as solutions. I know that if we can talk about what the best practices should be you will agree with what I have to say.

All unguided tours should be cancelled without exception. No company should be allowed to drive a customer up Haleakala and not accompany them as a guide on the way back down.

All guided tours should be limited to 6 customers and one guide, 8 at the absolute most. Escort vans should never impede the flow of traffic. Guided Tours should not be limited to any new routes. Tours should be allowed to operate in all daylight hours. The problem is not the roads or the time of day, the problem is unguided bikers and guided tours that have too many bikers and a van that impedes traffic.

Enough money can be generated to build pullouts for bike vans and stopping areas for bikers by charging a \$10 per person fee to participate on a bike tour. But if new rules are implemented and enforced there is no need for pullouts. Tours can operate safely and efficiently without pullouts if they are guided properly and with a group maximum of 6-8.

Bike Maui and Maui Sunriders are the primary cause of this state of affairs. Taking any advice or suggestions from them makes no sense whatsoever. They have never operated safely in my professional opinion, nor have they operated in a manner that is respectful to the community. They have promised to limit their tours to 10 guests, they have not done that, they never will unless they are forced to do so. They have also promised to space it out with starting times and give 5 minute intervals between tours, they are not doing that either.

Again, they will never voluntarily implement any new safety measures or traffic guidelines until they are forced to do so. The suggested stop above Makawao through Bike Maui is transparent and selfish. They are only doing this because they do not use Baldwin and because they are on their way to losing access to Kokomo, which they have abused and neglected. Bike Maui and Maui Sunriders are the primary problem in Makawao. They just let their clients park their bikes on sidewalks and in front of stores. They make zero effort to help their guests park their bikes and show respect to the town of Makawao. Any bike company that says that they cannot afford to operate if unguided tours are cancelled, or if guided tours are limited to 8 or less per tour, are hoarding too much money for the owner of the business. These two businesses are driven by greed, they do not care about the quality of their services or about the residents traveling on our roadways.

Please do not punish those of us who have been operating safely, and operating with respect to the traffic, and with respect to the town of Makawao because of those that have caused all of the problems. Let's fix the industry instead of shutting it all down. Please do not make those of us doing it safely and correctly have to be limited because the huge companies have failed the community for so many years.

The vast majority of the accidents happening on bike tours are from Bike Maui and Maui Sunriders, with Bike Maui taking the cake by a long shot. This is happening because of the owners of this company refusing to run

their tours in a safe manner.

Outlaw unguided tours to avoid lawsuits and limit the number of participants on guided tours to help the traffic concerns. These are the first 2 steps for the formula for success.

I hope that you will consider my offer to help you address this matter prior to March 15th.

Sincerely,  
William Campbell  
Maui Easy Riders  
808.344.9489  
Billy@MauiEasyRiders.com

**Steve Sutrov**

Location:

Submitted At: 3:08pm 09-07-22

Re: GREAT-44 Bicycle Tour Regulation

Aloha Chair Molina, and the Maui County GREAT Committee,

Thank you for again addressing this important roadway safety dilemma that negatively affects hundreds of Maui commuting citizens, and tourist visitors daily.

Please adopt the recommendations of:

Ending self guided tours

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Limit tour group size

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A quick sampling of over 1000 citizens signed a petition in just a week asking for real action, real regulation, and an attempt at gaining safer roadways. Thousands more in our Upcountry Communities are watching, and waiting for this obvious needed regulation to finally happen.

Yes we need bike lanes, separate from the roads would be best. But this is not going to happen for years. We have control over preventing many injuries, and possible deaths by regulating this dangerous visitor attraction now.

Upcountry highways and roads are a step up from "country roads", but many are narrow, winding, negative banked, technically challenging, dirty roads. It's hard enough for us that have been driving them for over 50 years, dealing with unskilled, uncivilized drivers, and thousands of lost tourists. Allowing trains of bikes down these roads is crazy dangerous for everyone.

Yes, their business model will have to change. Hopefully some will be able to make it work. I suggest we all start working with private landowners to develop a separated bikeway up and down the mountain, for bikes, walkers, and horses. We are only going to have more and more auto traffic on the same roads for years to come. We don't pass this then EBIke tours are happening next, UP and DOWN the mountain.

Have a Pono vision, then work on it.

Thank you for your important work.

Steve Sutrov, Kula

**Guest User**

Location:

## GREAT-44 - Downhill Bike Ordinance is not acceptable

September 5, 2022

Aloha GREAT Committee,

We would like to once again express concern for our local communities, small businesses, and residents that will be affected if this ordinance is passed as is.

Our efforts to help educate and encourage balanced discussion have come up short, and our attempts to invite committee members to visit our team and witness our operations firsthand have failed. This is our last attempt to thoroughly and vehemently oppose GREAT-44 as it is written.

As experts in the industry, but also as community members who commute these same exact roads, we have the knowledge and insight to identify the issues with this ordinance.

Local jobs are at stake! Despite the guise that these are merely restrictions and the false notion that no local family's livelihoods will be affected, these regulations constrict businesses and their potential customers to the point that downsizing, if not complete shutdown, is inevitable.

Something that the committee needs to be aware of is that this ordinance will allow unregulated bike companies and independent operations to thrive! Anyone who thinks they will be better off with these unregulated operations, or believes that there is little chance that this will occur, is foolishly ignorant to the industry and in denial. We've already seen similar occurrences right here on our island. Illegal Vacation Rentals have been a plague on local neighborhoods. An abundance of independent rental cars has ruined the road to Hana experience for everyone. And for the best evidence of independent operators taking over where commercial operators are limited, look no further than the rental car shortage a year ago. The shortage of rental cars promoted a HUGE boom in independent rentals and operations such as Turo. Like the demand for rental cars, the demand for activities such as this does not disappear.

Unregulated bike operators will be impossible to manage and impossible to hold to the standards of this ordinance or any other. They also present a huge danger in that these inexperienced rental operations are likely to have untrained employees, if they have employees at all, inadequate equipment, and little to no safety instruction given to the recipients of their bicycles. Our 25+ years of experience has helped us to continue to improve the quality and safety of our services. That is all lost when unregulated operations are encouraged.

These things are not a possibility, they are an inevitability!

What we need to discuss is how we can preserve the commercial operators who are in good standing, willing to work with the community, provide jobs to dozens of local residents, as well as provide customers to just as many local businesses.

GREAT-44 as it is written is highly restrictive. It was restrictive before its last revision, and now is even more restrictive with the suggestions provided by the industry as modes of compromise added to the ordinance details instead of replacing them. These restrictions are heavy handed and are layered upon layer. Our suggestion is to consider a true and more balanced compromise.

Ideally, we would rather there be no ordinance, or restrictions placed upon the commercial tour companies, but rather an encouragement to operate in a manner that is in good standing with the council and community. The ride through Upcountry Maui is incredibly popular and desirable and gives our visitors an opportunity to visit and support these local towns. We want to work with community representatives to discuss operations, times, self-imposed restrictions, and other options. This is a workable solution if we can work together.

We do understand that there is a desire to have regulation of this activity and there are portions of this ordinance

that are preferred by the committee and community members to address specific concerns. We believe the exaggerated concerns have resulted in exaggerated solutions but can see that without an understanding of our industry and operations that these seem like viable solutions, but they really are not.

The two large sticking points, which have been deemed industry killers, are ending the bike ride at 4500 ft. and eliminating self-guided. One completely dissolves the activity as we know it and will change how the industry operates at a cost to the consumer and local businesses. The other will eliminate companies because that is the only service which they provide.

It should be at very least considered that you do one or the other but not both. Either allow bike rides to continue from Haleakala down to the ocean but eliminate self-guided operations. OR limit all bike tours to 4500 ft and above but don't restrict how, or when those tours operate. If the main concern is biking within neighborhoods amongst cars, then the latter option addresses that and no other restrictions are necessary because those operations will not interfere with local life below 4500 ft at all. If the concerns of the community only reside in the traffic having to deal with lines of independent riders, then the former option would address that.

As experts and longtime operators in this industry, we can affirm both with testimony and factual data that self-guided tours and guided tours are no different in terms of safety. And there are ways to regulate both without eliminating either.

Consider what's at stake here, families livelihoods, long established small businesses, negative affect on local merchants. PLEASE DO NOT pass GREAT-44 how it is written. Layering extreme regulations on top of each other is highly one sided and is not the appropriate way to approach this concern.. Discussion and compromise are always the best option. We continue to invite the committee members and community to have this discussion with us and to learn more about what we do and who we are.

Mahalo

Lewis Upfold  
Haleakala Bike Company, Inc.

**Guest User**

Location:

Submitted At: 8:21am 09-06-22

PLEASE PASS Bicycle-Tour Public Safety and Related Litigation Concerns (GREAT-44) on September 8, 2022  
Aloha Maui County Council Members,

I have lived on Baldwin Avenue since 2006 and am an active cyclist. On my 4 or 5 rides EVERY WEEK up and around Baldwin Avenue, I make every effort to avoid rush hour traffic, wear colorful reflective clothing, display flashing warning lights front and rear, ride as close to the curb as possible, and slow down to allow vehicles to pass from behind when safe to do so. It is common-sense cycling to be as courteous and accommodating as possible to drivers.

Visitors on downhill bike tours take none of the above common-sense safety measures. I have personally witnessed unbelievably careless behavior by downhill bike tour participants, particularly by those on unguided tours. Over the years, I have witnessed several injured downhill bike tour participants along the side of the road.

While annoying and delaying to vehicle drivers, these tours are fundamentally unsafe and dangerous to residents and to the visitors themselves, most of whom have no idea about rules of the road and many of whom are in no physical condition for this activity. Tour operators make huge profits while inconveniencing local resident drivers, and contribute virtually nothing financially to the County.

I STRONGLY support banning unguided downhill bike tours and restricting guided downhill bike tours to the upper portion of Crater Road to minimize their interaction with Maui's daily vehicular traffic.

Thank you for considering my testimony,

Trip Lynch  
1799 Baldwin Avenue  
Makawao, HI 96768

**Guest User**

Location:  
Submitted At: 8:19am 09-06-22

Upcountry bike tours

I've lived just off of Upper Kimo Drive for 27 years. The bike tour companies, and especially those that rent bikes to independent bikers with no leader, are a danger to themselves, other bikers and every individual who has to deal with them. PLEASE stop them now. One already sued Maui County for negligence because they ended up paraplegic from a bike tour accident. It's just stupid to continue to let them go on.

Frustrated by the downhill bikers, Ron Rawson

**Guest User**

Location:  
Submitted At: 8:15am 09-06-22

Please pass Bill GREAT-44

Aloha e councilmembers,

I am urging you to please, please, please pass bill GREAT-44. Following are just a few posts and comments out of many found on social media concerning the danger and stress caused by commercial bike tours on Maui. I have personally witnessed hundreds, if not thousands, of dangerous and frustrating situations involving bike tours while on my daily commute to work.

Aloha,  
uilanirose@hotmail.com

Post: Maui 24/7 FaceBook, June 24, 2022 - BICYCLE ACCIDENT: Report of a bicycle accident on Baldwin Avenue just below the Veterans Cemetery in Makawao. Unknown if there are injuries. Engine 5 and MPD are responding.

Comments: - ... a bike tour. Drove right by the accident.

- ... passed a few today earlier before lunch. Some of the tourists don't know how to ride those bikes.
- the company leaders on those tours don't really watch those riders in the back of them.

Post: Maui 24/7 FaceBook, April 30, 2022 - BICYCLE ACCIDENT: There is a bicycle accident on Makawao Avenue by the Maliko Bridge (by the bad turn) in Makawao. Female has a leg injury. MPD/MFD are responding.

Comments: - Is that a commercial biker ? So dangerous

- Yep, another one. So let see, you rent to people who never ride, put them on tight country roads in the rain??!
- The bike companies are going to continue this until the county shuts it down. I looked at the woman involved in this one and truly understood that she had no business being in this situation. It hit me that we, Maui have a responsibility to these people, not just us residents, to end all this. 25 years of putting up with this.

Post: Maui 24/7 FaceBook, February 17, 2022 - NEAR FATAL MOTOR VEHICLE/ BICYCLE COLLISION: On Wednesday, February 16, 2022, at approximately 10:51 a.m., a motor vehicle collision occurred on Makawao Avenue, 0.3 miles North of Kee Road in Makawao.

Preliminary investigation reveals a female bicyclist was traveling Haiku bound on Makawao Avenue when she lost control and crossed into the opposing lane, colliding head-on with a Green 1995 Jeep Wrangler heading Makawao bound.

As a result of the collision, the bicycle operator (57) from Cedar Rapids, Iowa, was transported to Maui Memorial Medical Center Emergency Room, where her condition was classified later as life-threatening. The Jeep operator did not sustain any injuries as a result of this collision.

Comments - yes she was with a tour group. My friend was one of first people there helping .

- The operators promote it as safe and fun, maybe ok if you are fit and an experienced rider. I feel so sorry for the motorist, I am always afraid that will happen to me when I'm near one of the downhill bike groups.

**Guest User**

Location:

Submitted At: 2:23pm 09-01-22

Aloha Chair Mike Molina and Vice-Chair Keani Rawlins-Fernandez & Committee Members,

It's been my honor to collectively market & lobby on behalf of the State's in-destination experiences for the past 24 years. Maui Bicycle Tour & rental businesses are 100% owned by Maui residents; they are voters; their profits stay within the county, employing over a hundred, and biking down Haleakala was started 40 years ago by Cruiser Bob. Haleakala is among the world's most desirable places to bike. As a result, there is a large demand which will not be impacted by ordinance changes.

I have enjoyed the guided tour and unguided tours numerous times. My first was on a guided tour. Once comfortable enough, I did the "on your own" several times with my family and friends. Since I live on the route – I'll stop at my house on my way. It's a fantastic experience. How many of you have taken a tour or even met with bike companies? Visited their operation, seeing firsthand how they operate. From previous GREAT zoom meetings, council members met with the Kula community and spent time observing the tours without the businesses being represented.

I hope you have at least read the Kimura International 2010 Bike Study Report commissioned by the County's public works. (<http://mauicounty.us/wp-content/uploads/2014/09/Bicycle-Tour-Study.pdf>). Glenn Kimura did the tour! The number of operations is half the size today as it was in 2010.

In any conflict, there are two sides, and the truth is usually somewhere in the middle. Therefore, those making Public Policy should have a grasp on both sides, balancing the beneficial outcomes and adverse impacts. It is not an us vs. them; it is our community.

In a discussion between Chair Molina and commercial operators' resource representative an agreement to operate between 8 am and 1:30 pm and a Bike Free day was discussed. Operators also attended KCA meetings. There the time agreed was 9am and noon. KCA members shared they did not have intentions to stop or ruin these businesses. Neither included discussions to prohibit self-guided or end the ride above Kula. If it was as Chair suggested at the request of the KCA - they didn't voice this when we met. Removing the restrictions on guests & tours per day and no longer requiring a guide in the back are nice concessions. However, prohibiting unguided tours and limiting guided tours above 4,500 feet make these concessions a moot point. The proposed changes to Chapter 5.22 will likely have unintended and undesirable consequences, for example:

- A downgrade of product offered by legal commercial operations (costs/price remaining the same)
- Bike Tour customers will no longer patronize shops in Kula, Makawao, Paia & Haiku at their current level
- Increased number of operations that rent bicycles and bike racks
- Increased number of illegal operations
- A lawsuit against the Maui County for prejudicial restraint of trade & possible Sunshine law violations

I urge you to rework the proposed ordinance to include only the changes agreed to between KCA, Chair Molina and the commercial operators, when all met together.

Thank you for this opportunity to share my comments in writing,  
Toni Marie Davis

**Guest User**

Location:

Submitted At: 4:05pm 08-31-22

Dear Council Members, I have sent letters to you before regarding the downhill bike tours. They are becoming more dangerous than ever. Please pass the bill with specific attention paid to disallowing unguided bike tours to operate. Mahalo, Rici Guild, Crater Rd.

**Guest User**

Location:

Submitted At: 9:21am 08-29-22

## Regulate bike tours

I urge you to regulate bike tours on Maui county roads. They are dangerous and a nuisance. I often see inexperienced riders (elderly, out of shape, and children) struggling to maintain their balance in the narrow shoulders of our upcountry roads. I am regularly forced to swerve around them into the oncoming traffic lane to avoid hitting them. It's a daily catastrophe waiting to happen.

Claudia Johnson

### Guest User

Location:

Submitted At: 9:19am 08-29-22

Aloha,

I am asking that a bill titled "Bicycle-Tour Public Safety and Related Litigation Concerns (GREAT-44)" be passed with these provisions that are in the best interests of the general public:

- 1) Unguided bike tours are prohibited.
- 2) Guided bike tours are prohibited everywhere in Maui County, except where specifically permitted. The permitted area would be on Haleakalā Crater Road, State Route 378, from just below the national park at mile marker 9.5 to the existing pullout at mile marker 3.0. The bike tours would end at the 4,500 foot elevation, above any residential areas.
- 3) The guided bike tours are only allowed to operate Monday through Saturday, from 8:00am to 1:30pm.

This would minimize conflict with Maui drivers, make safer bike tours, and allow the tours to continue as regular van tours that could still patronize the merchants in Makawao and Paia.

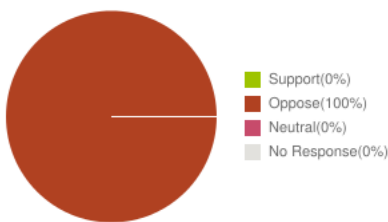
From,

A concerned Upcountry voter

Barker-Perez <uilanirose@hotmail.com>

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



### William Campbell

Location:

Submitted At: 12:33am 09-08-22

A Bill for an Ordinance Amending Chapter 5.22, Maui Code related to Bicycle

Tour Businesses (GREAT-44)

Petition to Regulate Bike Tours on Maui:

My name is William Campbell, I am the owner of Maui Easy Riders. I started my

business in 2010 after working for three other guided bike tour companies. I have been safely conducting guided bike tours on Haleakala for 15 years, I have guided thousands of trips from the summit and the 6500 ft level all the way to Paia Town, and I have never once had to call an ambulance because of an accident. I am pleading my case, and point of view with you to amend the Great 44 so that it offers a solution to the current problem, instead of ending what can be fixed without trying to regulate it in a safe manner.

Bike tour safety, attempts at regulating bike tours, and the effect bike tours have on traffic have all been largely ignored until now. A better way to put it, is that less than the bare minimum has been done to implement change from those that are ultimately responsible for doing so, literally for decades. I believe that I am the leading expert in this field because of my track record, my daily involvement on bike tours, my many years of experience, and my willingness to compromise on how I conduct my bike tours through my permitted business.

With all due respect, I have to add that I have attempted, on multiple occasions, to contact Mike Molina with my thoughts and suggestions on this topic. None of my phone calls, nor the email I sent to him have been returned. I am including the email that I sent to his office on Monday, March 7th. As you can clearly see from that email, and from these proposed amendments/regulations, that I am sincerely trying to offer my expertise, and compromise in a way that is beneficial to the valid concerns at hand. I am clearly offering a way to make guided bike tour companies operate in a safe and responsible manner for many years to come.

The Solutions and Why they Will Work:

- Do not allow any unguided bike tours to operate. This type of tour is obviously what is garnering the vast majority of complaints from local residents concerning traffic. I know this because I have been listening to testimonies on the Great 44 and I have been on the road seeing it with my own eyes for the past 15 years. Allowing unguided 808.344.9489 BILLY@MAUIEASYRIDERS.COM

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tours to operate along with guided bike tours as a part of any bill is continuing to turn a blind eye to those that have created the problems we're dealing with right now. The vast majority of bike accidents occur on unguided tours in the Haleakala Downhill Industry. I know this because I witness these accidents on a regular basis.

- Regulate all guided bike tours to a ratio of 1 guide per 2 guests on all guided tours. This will make all guided tours easy to manage for the guide. This will also make all guided tours a non-issue for traffic concerns because traffic will not have to contend with large groups of up to 14 bike riders (including the guide) which is what we are currently dealing with.

- Regulate all guided bike tours to operate "without" a van following behind the group, having the van ahead of the group at all times, parked, and not blocking traffic in any way. Van Drivers and Bike Tour Guides can still communicate safely and always know where each other are on the roadways with 2 way radios. This will create an environment where traffic is never waiting behind a bike tour, or a bike van that is blocking traffic for the participants.

- Regulate all guided bike tours to operate in a manner that the group (one guide and 2 participants) never be larger than a total of 3 riders. Bike Tour Companies can hire more guides, create more jobs and show the community that they are willing to operate safely and with respect to local traffic concerns. Bike Tours can be spaced out, staggered so that they never bunch up together.

- Regulate all guided bike tours to only operate during the hours of 9am - 1pm, 6 days per week, with no bike tours operating on Wednesdays. School lets out early on Wednesdays, this eliminates any time issues associated with that day. As a guide and business owner I can say with 100% certainty that the days with the least amount of traffic are Saturdays and Sundays.

- Regulate all guided bike tours to require that all participants be at least 16 years of



age. This is the age in which most teens learn to drive, learn the rules of the road, learn how to become aware of traffic and traffic laws.

- Regulate all guided bike tours to require that all participants consider themselves to be experienced bike riders, and 100% confident they can complete the ride safely after knowing everything they need to know. This will create an environment that is void of inexperienced riders.

- Regulate all guided bike tours to have detailed information on their websites concerning all aspects of the ride in which they will be taking part. This will eliminate those participants who do not realize what they have signed up for.

808.344.9489 BILLY@MAUIEASYRIDERS.COM

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- Regulate all guided bike tours to use the shoulder space when it is safe to do so. This will eliminate the current problem of bikers being in the road when cars are behind them.

What will happen if the county votes to ban all guided bike tours conducting tours on the path they have been taking since 1983:

- Visitors to Maui will still find a way to bike down Haleakala on the current route that is on the chopping block, and they will do it without a guide, or with a guide that is operating an illegal business. There are already going to be bikers on the roadways, if they are in a group of 3 or less (including the guide) and obviously with a guide, this will be a direct result of the county taking action to regulate the industry in a safe and responsible manner. The majority of visitors will buy and use the services that they know are permitted and legal, we should not create a pathway to a rogue and illegal industry when there is a solution that will work.

- The void will be filled by illegal tour operators if the county votes to ban the current route. If guided bike tours are permitted to conduct tours in a safe manner they will be able to report illegal tours on a daily basis because it will be in their best interests to do so. This will force illegal tour operators get permits and conduct safe tours as regulated by the county. If there are no regulations it will create a different type of chaos on the roadways, possibly much worse than what the current climate offers.

- The companies that have shown they are unwilling to compromise, and unwilling to be truthful about their operations will hire lawyers and bring lawsuits against the county. This will cost the county money to defend their decision to shut down the current route. Instead of banning the tour routes altogether the county has an opportunity to regulate them in a way that will make them safer and let traffic flow unimpeded. The goal should be to create a set of regulations for all guided bike tours to follow if they wish to continue to use the same bike routes they have always used.

I ask and plead that you amend the ordinance so that it is solution based for everyone involved. Please feel free to reach out to me with any questions or concerns.

With Aloha,

William Campbell

Maui Easy Riders