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Director of Council Services  
Traci N. T. Fujita, Esq.

Deputy Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

September 9, 2021

The Honorable Alice L. Lee  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

RECEIVED  
2021 SEP 10 AM 8:08  
OFFICE OF THE  
COUNTY CLERK

Dear Chair Lee:

**SUBJECT: BICYCLE TOUR PUBLIC SAFETY AND RELATED  
LITIGATION CONCERNS (PAF 21-268)**

May I request the attached proposed resolution, entitled "URGING THE MAYOR TO ADDRESS BICYCLE TOUR PUBLIC SAFETY AND RELATED LITIGATION CONCERNS," be placed on the next Council meeting agenda.

Sincerely,

  
MICHAEL J. MOLINA  
Councilmember

paf:kmat:21-268b

Enclosure

COUNTY COMMUNICATION NO. 21-453

# Resolution

No. \_\_\_\_\_

## URGING THE MAYOR TO ADDRESS BICYCLE TOUR PUBLIC SAFETY AND RELATED LITIGATION CONCERNS

WHEREAS, the Council has received an increasing number of complaints from constituents about bicycle tours on the Island of Maui; and

WHEREAS, bicycle tour public safety and related litigation concerns are the bases for many of the complaints; and

WHEREAS, the Director of Finance and the Acting Chief of Police have responded to requests to provide feedback on ideas to improve Chapter 5.22, "Bicycle Tours," Maui County Code, and address the public safety and related litigation concerns; and

WHEREAS, the Director of Finance, by correspondence dated August 30, 2021, attached as Exhibit "A," suggested consideration be given to specialized enforcement resources, perhaps modeled after the Park Rangers program in the Department of Parks and Recreation; and

WHEREAS, the Acting Chief of Police, by correspondence dated September, 3, 2021, attached as Exhibit "B," suggested that companies providing bicycle tours often do not use good judgment, causing a slow-moving buildup of cars behind them and resulting in safety hazards, reckless driving, and road rage; and

WHEREAS, the Acting Chief of Police provided the following suggestions to address bicycle tour public safety and related litigation concerns:

- Limit the number of bicycle tours and the number of people per tour;
- Restrict bicycle tours on Baldwin Avenue, Olinda Road, Hanamu Road, and Haleakalā Highway 377; and
- Limit bicycle tour hours of operation; and

**Resolution No. \_\_\_\_\_**

WHEREAS, while the Council is grateful for the department heads' informative comments, which will be useful in deliberations on amendments to Chapter 5.22, executive action by the Mayor to address bicycle tour public safety and related litigation concerns would also be beneficial; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it urges the Mayor to address bicycle tour public safety and related litigation concerns; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Acting Chief of Police.

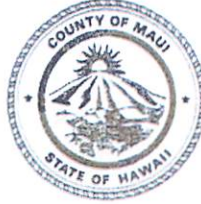
paf:kmatt:21-268c

Exhibit "A"

**MICHAEL P. VICTORINO**  
Mayor

**SCOTT K. TERUYA**  
Director

**MAY-ANNE A. ALIBIN**  
Deputy Director



COUNTY OF MAUI  
**DEPARTMENT OF FINANCE**  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

August 30, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 8/31/21  
Mayor Date

For Transmittal to:

Honorable Michael J. Molina, Councilmember  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Councilmember Molina:

**SUBJECT: BICYCLE TOUR PUBLIC SAFETY CONCERNS**

This is in response to your letter dated August 18, 2021 requesting feedback on how to increase public safety and improve administration of the permit process.

The Department of Finance believes that the language in Chapter 5.22.020 provides sufficient guidance of the information required on the application, insurance requirements, application routing and review process. Our Department defers to the Department of Police for their expert comments relative to public safety recommendations during tour operations on County owned roadways.


It is our understanding that a prior study was conducted and presented to previous Council, which may have contained some of the present constituent comments. Should some or all of the potential recommendations be added to Chapter 5.22.020, the Department recommend that additional enforcement resources be added similar to the Park Rangers.

Lastly, please see attached summary of all Bicycle Tour Business Licenses issued from 2020 and 2021.

Honorable Michael J. Molina, Councilmember  
Maui County Council  
Page 2

Should you have any questions, please contact me or Mr. Carmelito Vila our Motor Vehicle  
& Licensing Administrator at (808) 270-7363.

Sincerely,

  
SCOTT K. TERUYA  
Director of Finance

Attachments

SKT/lv

| <b>2020 &amp; 2021 BICYCLE TOUR BUSINESS LICENSE SUMMARY AS OF 8/24/21</b> |                         |                          |                                 |   |                 |                 |
|--|-------------------------|--------------------------|---------------------------------|---|-----------------|-----------------|
| <b>Permit Number</b>   | <b>Application Date</b> | <b>Permit Expiration</b> | <b>Status</b>                   | <b>Company</b>                              | <b>Bicycles</b> | <b>Vehicles</b> |
| BTB2019-02   | 6/19/2019               | 7/31/2021                | EXPIRED                         | MAUI SUNRIDERS BIKE CO. INC                 | 68              | 3               |
| BTB2019-03   | 11/19/2019              | 1/2/2021                 | EXPIRED                         | HALEAKALA BIKE COMPANY, INC. DBA BIKE MAUI; |                 |                 |
| BTB-2021-01  | 4/22/2021               | 6/24/2022                | ACTIVE                          | HALEAKALA BIKE COMPANY, INC. DBA BIKE MAUI; | 236             | 21              |
| BTB2005-06   | 12/28/2005              | 4/20/2020                | EXPIRED                         | BIKE IT MAUI NO KA OI LLC                   |                 |                 |
| BTB2019-04   | 12/7/2019               | 1/2/2022                 | ACTIVE                          | MOUNTAIN RIDERS BICYCLE TOURS LLC           | 27              | 5               |
| BTB2020-01   | 1/29/2020               | 2/26/2022                | ACTIVE                          | MATTHEW DOMENICHINI DBA MAUI BOMBERS        | 6               | 1               |
| BTB2020-02   | 2/5/2020                | 2/26/2021                | EXPIRED                         | WILLIAM CAMPBELL DBA EASY RIDERS            | 19              | 1               |
|  | Application 6/30/21     |                          | Incomplete Application/Rejected | WILLIAM CAMPBELL DBA EASY RIDERS            | 19              | 1               |
| BTB2020-03   | 1/29/2020               | 5/27/2021                | EXPIRED                         | MAUI'S BEST DOWNHILL, LLC                   | 31              | 3               |



MICHAEL P. VICTORINO  
MAYOR

OUR REFERENCE  
YOUR REFERENCE

Exhibit "B"  
**POLICE DEPARTMENT**  
COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411



CHIEF OF POLICE

**DEAN M. RICKARD**  
DEPUTY CHIEF OF POLICE

September 3, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For transmittal to:

Councilmember Michael J. Molina  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

**Re: Bicycle Tour Public Safety Concerns**

Dear Councilmember Molina:

We received your letter dated August 18, 2021 regarding complaints from your constituents on bicycle tour operations causing public safety concerns. The Maui Police Department's Community Policing Officers conducts periodic checks on the bicycle tour companies based on complaints received. Some complaints stem from illegal parking on Hana Highway fronting the Paia Youth Center and the Paia Municipal Parking Lot. Others are unpermitted bicycle tours operating in Maui County.

Community Policing Officer John Kalama is assigned to the Paia/Haiku (Upcountry) area and has conducted special operations in the past to combat unpermitted bicycle tours from operating and issued parking citations for illegal parking.

Other violations where penal summons citations were issued are:

- 01/30/2020 William Campbell (Easy Riders)  
Hanamu Road/Kealahou Avenue  
Unlicensed Bicycle Tours Operations, Unlicensed Bicycle  
Tour Business

- 02/10/2020      Mathew Domenichini (Maui Bombers)  
Haleakala Highway/Kealahou Avenue  
Unlicensed Bicycle Tour Operation, Unlicensed Bicycle Tour  
Business
- 03/09/2021      Bobby Davis (Maui Mountain Riders)  
Hana Highway/Baldwin Avenue  
Unlicensed Bicycle Tour Operation, Unlicensed Bicycle Tour  
Business

Currently the State of Hawaii does not require a permit for bicycle tours to operate on state highways. The County of Maui requires a permit in order to operate on all county roadways. Operating guided tours on Baldwin Avenue, Olinda Road, Hanamu Road, and Haleakala Highway 377 poses an increased risk of traffic/miscellaneous accidents due to impatient drivers who frequent the area.

Bicycle tour companies who allow guided tours often don't use good judgement and causes a line of cars (5-8 vehicles) to build up behind them forming a slow moving line. This eventually becomes a safety hazard and impatient drivers will attempt to pass at a moment's notice. This type of behavior creates reckless driving and road rage type incidents.

During 7-9 a.m., school traffic from King Kekaulike High School, Kamehameha Schools Maui Campus, Seabury Hall, Makawao Elementary School, and Carden Academy creates a massive traffic buildup along the roadways. The entire area is flooded with active motorists and crossing school children.

Comments pertaining to potential amendments to Maui County Code (MCC) Chapter 5.22 as it relates to public safety are as follows:

- a. Cap the number of bicycle tours allowed to operate in certain areas.

*Capping the number of tours will assist in lessening traffic buildup and decreasing the risk of traffic/miscellaneous accidents due to impatient drivers.*

- b. Ban tour operation on certain roads deemed too dangerous to bike.

*Baldwin Avenue, Olinda Road, Hanamu Road, and Haleakala Highway 377 are roadways that are deemed too hazardous to conduct bicycle tour operations.*



- c. Limit the number of people per tour.

*Limiting the number of people per tour would help to lessen the amount of bicyclists on the roadways.*

- d. Limit operation hours to between 9 a.m. and 1 p.m.

*Limiting the hours of operation to between 9 a.m. and 1 p.m. will allow bicycle tours to avoid the peak hours of school traffic and decrease the risk of accidents.*

- e. Prohibit unguided tours.

*We suggest limiting guided tours as guided tours create larger groups which results in traffic buildup.*

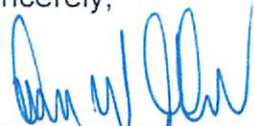
- f. Require guides at the front and back of tour groups.

*Most tours already provide guides in the front and back with two-way radios for communication. This method is used to avoid long lines and prevent safety hazards. Following the bicycle tour is a utility passenger van or trailer to receive the bicyclists when the tour is complete.*

Two accidents involving bicycle tours occurred between 2020 and 2021. On April 10, 2021, a miscellaneous accident occurred involving Haleakala Bike Company. Two bicyclists collided on Makawao Avenue near Kailiili Road. On June 2, 2021, a miscellaneous accident occurred involving Bike Maui. A rider lost control of the bike and fell over the handle bars near the area of 18303 Haleakala Highway.

If you have further questions, please contact Captain Everett Ferreira, Commander of the Wailuku District Patrol at X-6376.

Sincerely,



DEAN M. RICKARD  
Acting Chief of Police