



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Transportation
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By
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HB 1767 – RELATED TO MOTOR VEHICLES

Chair Aquino, Vice Chair Quinlan, and members of the committee:

My name is Stephanie Nagata, Director of the Office of Maunakea Management. Thank you for this opportunity to testify on behalf of this bill.

The Office of Maunakea Management (OMKM) supports this bill. HB1767 provides OMKM with a tool for providing safer vehicle access to the higher elevations of Maunakea, and indirectly, a safer environment for those visiting and working on Maunakea.

The use of two-wheel drive vehicles poses not only safety concerns, but environmental, and maintenance issues. Drivers using vehicles engaged in low range, 4-wheel drive, have better handling and control of their vehicle on the steep, gravel road and reduce their need to use their breaks and avoid overheating and losing break control. The use of 4-wheel drive also lessens the wear-and-tear of the gravel portion of the road, thus reducing the frequency and costs associated with maintaining the road.

The vast improvements to the Daniel K. Inouye Highway, commonly known as Saddle Road, has been a godsend to the residents of Hawai'i Island. It is a much safer and easier road to drive and has reduced the commute time between Hilo and Kona, and vice versa. However, the improved Saddle Road has resulted in an increase in vehicular traffic to the mountain. Visitors renting cars are no longer prohibited from driving across the Saddle Road in their two-wheel drive vehicles.

Two-wheel drive vehicles are not designed for driving on steep, bedrock and gravel roads, or at high altitudes. It is not uncommon for the Maunakea rangers to come across two-wheel drive vehicles stopped alongside the road with their hoods up stalled from overheating or experiencing transmission problems. Rangers, in spite of instructing drivers to use low gear, continue to witness cars with their break lights on as they start and continue their descent down from the summit. Not only is there concern for the driver and their passengers, but there is concern about potential harm to others should a car lose the use of their breaks and hit bystanders or another vehicle.

Similar to the increase in vehicular traffic, so has the frequency of unpermitted tours to Maunakea. The University took over the responsibility of managing commercial tour operators after it was transferred by the Board of Land and Natural Resources. It is essential that commercial tour operators are regulated to ensure the safety of visitors and protection of the resources. Permitted operators must meet stringent conditions, including 1) giving their passengers background on the cultural and environmental significance of Maunakea; 2) carrying minimum liability insurance coverage; 3) indemnifying the State and University; 4) understanding the health hazards associated with visiting high elevations; 5) outfitting their vans with first aid equipment and oxygen; 6) requiring drivers' certification in administering first aid; and 7) conducting their own stargazing away from the crowded Visitor Information Station. Additionally, tour operators pay a per passenger fee that is applied directly to the management of the mountain, including helping to cover some of the operating expenses of the Visitor Information Station.

Non permitted operators add to the impact to the mountain and the addition of their passengers intensifies the already congested situation at the Visitor Information Station. Drivers may not be trained in rendering first aid or understand the health hazards associated with visiting high elevations. Additionally, unlike permitted tour operators, unpermitted operators are not obligated to indemnify OMKM, UH or the State, including but not limited to, suits, liabilities, losses, damages, costs, etc., arising, for example, from injury, cause of death, or damage to property losses. OMKM has sent letters to unpermitted operators citing the number of times they were observed conducting tours on UH's managed lands without a permit from the University, but they continue to run their tours. This bill will help to curtail unpermitted tour activities to the summit of Maunakea.

OMKM appreciates the support this bill provides by enhancing safer travel to Maunakea. We are looking into how this bill coalesces with existing statutes pertaining to the University and would like to work with staff to clarify any inconsistencies or redundancies that might exist.

Thank you again for this opportunity to testify on HB 1767.