

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to part VI, subpart A, to be  
3 appropriately designated and to read as follows:  
4           "§302A- Pedestrian traffic safety devices; newly  
5 constructed public schools. (a) The department shall ensure  
6 that prior to the first day of instruction at a newly  
7 constructed public school, there are proper pedestrian traffic  
8 safety devices in place and fully operational in the immediate  
9 area surrounding the school. The department shall formulate a  
10 checklist of proper pedestrian traffic safety devices to be used  
11 by all public and charter schools for purposes of this section.  
12 No newly constructed public school shall open for the first day  
13 of instruction without first being certified by the department  
14 that all items on the checklist have been satisfied, including  
15 having proper pedestrian traffic safety devices in place and  
16 fully operational.



1           (b) The department shall enlist the assistance of the  
2 state department of transportation, the appropriate county  
3 transportation services department, and the county police  
4 department for purposes of this section.

5           (c) As used in this section:

6           "Pedestrian traffic safety devices" means "traffic-control  
7 devices", "traffic-control signal legend", "pedestrian-control  
8 signals", "flashing signals", "lane-direction-control signals",  
9 and "longitudinal traffic lane markings", as appropriate, as  
10 those terms are used in part IV of chapter 291C, and  
11 "crosswalks" and "traffic-control signal" as defined in section  
12 291C-1.

13           "Proper" means satisfying the minimum requirements of law  
14 or regulation, and in addition, other measures to enhance  
15 pedestrian traffic safety as appropriate to the particular  
16 location of the public school."

17           SECTION 2. Chapter 302B, Hawaii Revised Statutes, is  
18 amended by adding a new section to be appropriately designated  
19 and to read as follows:

20           "§302B- Pedestrian traffic safety devices; newly  
21 constructed charter schools. (a) A charter school shall ensure  
22 that prior to the first day of instruction at a newly



1 constructed charter school, there are proper pedestrian traffic  
2 safety devices in place and fully operational in the immediate  
3 area surrounding the charter school. The charter school shall  
4 formulate a checklist of proper pedestrian traffic safety  
5 devices to be used for purposes of this section. No newly  
6 constructed charter school shall open for the first day of  
7 instruction without first being certified by the department that  
8 all items on the checklist have been satisfied, including having  
9 proper pedestrian traffic safety devices in place and fully  
10 operational.

11 (b) The charter school shall enlist the assistance of the  
12 state department of transportation, the appropriate county  
13 transportation services department, and the county police  
14 department for purposes of this section.

15 (c) As used in this section:

16 "Pedestrian traffic safety devices" means "traffic-control  
17 devices", "traffic-control signal legend", "pedestrian-control  
18 signals", "flashing signals", "lane-direction-control signals",  
19 and "longitudinal traffic lane markings", as appropriate, as  
20 those terms are used in part IV of chapter 291C, and  
21 "crosswalks" and "traffic-control signal" as defined in section  
22 291C-1.



1        "Proper" means satisfying the minimum requirements of law  
2 or regulation, and in addition, other measures to enhance  
3 pedestrian traffic safety as appropriate to the particular  
4 location of the charter school."

5        SECTION 3. Chapter 302C, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8        "§302C-     Pedestrian traffic safety devices; newly  
9 constructed private schools. (a) Private schools shall ensure  
10 that prior to the first day of instruction at a newly  
11 constructed private school, there are proper pedestrian traffic  
12 safety devices in place and fully operational in the immediate  
13 area surrounding the private school. The private school shall  
14 formulate a checklist of proper pedestrian traffic safety  
15 devices to be used for purposes of this section. No newly  
16 constructed private school shall open for the first day of  
17 instruction without first being certified by the principal,  
18 president, or headmaster, as applicable, of the private school  
19 that all items on the checklist have been satisfied, including  
20 having proper pedestrian traffic safety devices in place and  
21 fully operational.



1        (b) For purposes of this section, the private school shall  
2 enlist the assistance of the state department of transportation,  
3 the appropriate county transportation services department, and  
4 the county police department, which shall cooperate with the  
5 private school for purposes of this section.

6        (c) As used in this section:

7        "Pedestrian traffic safety devices" means "traffic-control  
8 devices", "traffic-control signal legend", "pedestrian-control  
9 signals", "flashing signals", "lane-direction-control signals",  
10 and "longitudinal traffic lane markings", as appropriate, as  
11 those terms are used in part IV of chapter 291C, and  
12 "crosswalks" and "traffic-control signal" as defined in section  
13 291C-1.

14        "Private school" means any primary or secondary educational  
15 institution not subject to chapter 302A or chapter 302B.

16        "Proper" means satisfying the minimum requirements of law  
17 or regulation, and in addition, other measures to enhance  
18 pedestrian traffic safety as appropriate to the particular  
19 location of the private school."

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1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: S.S.T.L.

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**Report Title:**

Student Traffic Safety; New Schools

**Description:**

Requires the department of education to ensure that all traffic safety measures are in place and operational prior to the opening of a newly constructed public or charter school.  
Requires the same of private schools.

