
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The complete streets law, codified as
2 section 264-20.5, Hawaii Revised Statutes, requires the
3 department of transportation and the county transportation
4 departments to adopt a complete streets policy that seeks to
5 reasonably accommodate convenient access and mobility for all
6 users of the public highways within their respective
7 jurisdictions, including pedestrians, bicyclists, transit users,
8 motorists, and persons of all ages and abilities.

9 The legislature finds that clarification of the complete
10 streets policy is necessary to ensure its proper implementation
11 and effectiveness.

12 The purpose of this Act is, in part, to:

13 (1) Require the department of transportation to submit an
14 annual report to the legislature detailing compliance
15 with the complete streets policy and principles;

16 (2) Require the department of transportation to establish
17 and publish performance standards with measurable



- 1 benchmarks reflecting the capacity for all users to
- 2 travel safely and conveniently along state roadways;
- 3 (3) Require that the complete street policies of the State
- 4 apply to new construction, reconstruction, repaving,
- 5 operations, and maintenance activities;
- 6 (4) Require the department of transportation to create a
- 7 complete streets policy checklist for each project and
- 8 post the checklist on its website; and
- 9 (5) Require the counties to consider complete street
- 10 policies when adopting or amending land use
- 11 ordinances.

12 SECTION 2. Chapter 264, Hawaii Revised Statutes, is
 13 amended by adding a new section to be appropriately designated
 14 and to read as follows:

15 "§264- Ground transportation infrastructure project
 16 planning, design, and implementation. When planning, designing,
 17 and implementing ground transportation infrastructure, the
 18 department of transportation shall consider and pursue goals for
 19 each project that:

- 20 (1) Assess and maximize the total throughput of persons
- 21 using all modes of transportation;



- 1 (2) Meet the complete streets policy as defined in
- 2 section 264-20.5;
- 3 (3) Reduce vehicle miles traveled;
- 4 (4) Provide capacity to meet future mode share goals
- 5 established by the State;
- 6 (5) Provide equity for all communities and users of the
- 7 public highways;
- 8 (6) Consider the vision zero policy pursuant to
- 9 section 286-7.5;
- 10 (7) Reduce user cost of transportation and living;
- 11 (8) Improve public health;
- 12 (9) Reduce carbon emissions and greenhouse gases to meet
- 13 state climate and zero emissions clean economy goals
- 14 as defined in sections 269-92 and 225P-5;
- 15 (10) Reduce urban temperatures by incorporating tree canopy
- 16 and foliage over hardened surfaces; and
- 17 (11) Beautify public infrastructure."

18 SECTION 3. Section 264-18, Hawaii Revised Statutes, is
 19 amended by amending subsection (a) to read as follows:

20 "(a) Out of the state highway fund amounts, whether state
 21 funds or federal funds, shall be expended as necessary by the



1 State for the establishment of bikeways; provided that bikeways
2 shall be established, whenever practicable, wherever a new or
3 existing highway, road, or street is being designed, planned,
4 constructed, reconstructed, relocated, or rehabilitated. At
5 least [~~two~~] five per cent of eligible federal funds[~~7~~] based on
6 a three-year average, and in addition, other state highway fund
7 moneys as available, shall be expended to:

8 (1) Establish multi-use paths, bicycle paths, and bicycle
9 lanes; and

10 (2) Install signage and safety devices along bikeways;
11 provided that the department of transportation shall include the
12 bicycling community in a public involvement process to determine
13 the location of multi-use paths, bicycle paths, bicycle lanes,
14 and installation of signage and safety devices along bikeways.

15 Planning for any mass transit system shall include
16 appropriate accommodation for bicycle lanes, bikeways, and
17 bicycle routes, including bicycle racks on mass transit
18 vehicles, to enable mass transit users to connect conveniently
19 by bicycle to transit stations and bus stops.

20 This subsection shall not be construed as requiring the
21 expenditure of a county surcharge on state tax under



1 section 46-16.8[7] on bicycle paths if the application of this
2 subsection conflicts with section 46-16.8."

3 SECTION 4. Section 264-20.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[f]§264-20.5[+] **Complete streets.** (a) The department of
6 transportation and the county transportation departments shall
7 adopt a complete streets policy that seeks to reasonably
8 accommodate convenient access and mobility for all users of the
9 public highways within their respective jurisdictions as
10 described under section 264-1, including pedestrians,
11 bicyclists, transit users, motorists, and persons of all ages
12 and abilities.

13 (b) This section shall apply to new construction,
14 reconstruction, and maintenance of highways, roads, streets,
15 ways, and lanes located within urban, suburban, and rural areas,
16 if appropriate for the application of complete streets.

17 (c) This section shall not apply if:

18 (1) Use of a particular highway, road, street, way, or
19 lane by bicyclists or pedestrians is prohibited by
20 law, including within interstate highway corridors;



1 (2) The costs would be excessively disproportionate to the
2 need or probable use of the particular highway, road,
3 street, way, or lane;

4 (3) There exists a sparseness of population, or there
5 exists other available means, or similar factors
6 indicating an absence of a future need; or

7 (4) The safety of vehicular, pedestrian, or bicycle
8 traffic may be placed at unacceptable risk.

9 (d) On or before December 31, 2021, and on or before
10 December 31 of each year thereafter, the director of
11 transportation shall submit to the legislature a report
12 detailing compliance with the complete streets policy and
13 principles during the preceding fiscal year. The report shall
14 include:

15 (1) A list of transportation facilities and projects
16 initiated during that fiscal year as well as the
17 complete streets features incorporated therein;

18 (2) Exceptions made under subsection (c);

19 (3) Beginning July 1, 2023, measurable performance
20 standards and benchmarks, as established in
21 conjunction with the Moving Ahead for Progress in the



1 21st Century Act process applicable to each project;
2 and
3 (4) Problems and suggested solutions and recommendations
4 to improve the process.

5 (e) The department of transportation shall establish and
6 publish performance standards with measurable benchmarks
7 reflecting the capacity for all users of the public highways to
8 travel with appropriate safety and convenience along roadways
9 under the jurisdiction of the State.

10 (f) The department of transportation shall ensure that:

11 (1) The State's complete streets policy applies to new
12 construction, reconstruction, repaving, operations,
13 and maintenance activities; and

14 (2) A complete streets policy checklist of duties of the
15 department of transportation is published in
16 accordance with section 1-28.5. The complete streets
17 policy checklist shall apply from initial planning
18 through final design, construction, and operation for
19 all new construction, reconstruction, and repaving
20 surface transportation initiatives. The complete
21 streets policy checklist shall be updated from time to



1 time as necessary to facilitate the implementation of
2 the complete streets policy. The complete streets
3 policy checklist with accompanying documentation shall
4 become a public record and shall be accessible on the
5 department of transportation's website within sixty
6 days of completion of the checklist and accompanying
7 documentation.

8 As used in this paragraph, "complete streets
9 policy checklist" refers to a tool to collect data and
10 information about the status of the roadway and the
11 surrounding area, as well as the details of the
12 transportation facility or project, with a goal of
13 identifying specific elements that can be incorporated
14 to support and balance the needs of all users.

15 (g) In adopting or amending land use ordinances, the
16 counties shall consider complete street policies to ensure that:

- 17 (1) A context-sensitive and multi-modal approach is
18 considered in ordinances;
19 (2) Consideration is given to allow flexibility in the
20 zoning requirements; and



- 1 (3) Other factors specific to the community are considered
- 2 when:
- 3 (A) The application of this section conflicts with
- 4 the context of the particular community; or
- 5 (B) A land use ordinance conflicts with the
- 6 principles of complete streets."

7 SECTION 5. The director of transportation shall provide
8 training for the department of transportation's maintenance
9 staff in complete streets policies, principles, and
10 implementation procedures that may be applicable to the
11 performance of their duties.

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on May 6, 2137.



Report Title:

Transportation; Department of Transportation; Complete Streets Law; Complete Streets Policy; Training; Counties

Description:

Requires the department of transportation to report on the complete streets policy and principles. Requires the department of transportation to establish standards relating to safe travel along state roadways and a complete streets checklist. Requires the director of transportation to provide training for maintenance staff in complete street policies, principles, and implementation procedures. Requires counties to consider complete street policies when adopting or amending land use ordinances. Effective 5/6/2137. (HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

