



GOV. MSG. NO. 1233

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 30, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 30, 2021, the following bill was signed into law:

SB1402 SD2 HD1 CD1

RELATING TO TRANSPORTATION
ACT 131 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 30 2021

THE SENATE
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 131

S.B. NO.

1402
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that the United States
2 Department of Transportation intends to modernize its planning
3 and projects throughout the country by achieving two primary
4 goals: equity for all communities and addressing climate
5 change. The State has adopted similar goals including reaching
6 one hundred per cent clean energy and a carbon negative economy
7 by 2045.

8 The legislature further finds that in addition to
9 modernizing transportation by meeting these new state and
10 national goals in Hawaii's transportation planning and projects,
11 the way people use transportation in Hawaii has already begun to
12 rapidly change. For example, the number of Hawaii's licensed
13 drivers between the ages of fifteen and nineteen has plummeted
14 nearly forty per cent in the last twenty-five years. In
15 addition to the generational shift away from cars, today many
16 drivers are switching from traditional gas cars to modern



1 electric vehicles, with sales increasing exponentially between
2 twenty and thirty per cent each year.

3 These changes are due, in part, to increased cost of living
4 and transportation expenses. For instance, buying or leasing a
5 car also includes other expenses such as auto insurance
6 premiums, fuel costs, and vehicle maintenance, which make owning
7 a car an expensive means of transportation. A recent report
8 by AAA noted that, on average, these additional expenses cost
9 each car owner \$8,849 per year. However, utilizing public
10 transportation, biking, walking, and living close to work
11 instead of owning or leasing a car can significantly reduce the
12 cost of transportation and measurably improve public health.
13 Yet, in those communities in which there is no infrastructure
14 available to travel except by car, residents are forced to pay
15 higher cost of living expenses and have fewer options to improve
16 their quality of life.

17 In Hawaii and around the country, inequitable investments
18 into infrastructure have exacerbated costs and health
19 disparities among different communities. Low-income areas
20 typically have less access to bike lanes, sidewalks, and safe
21 forms of cheaper transportation. This leaves low-income



1 households in auto-centric communities more likely to fall into
2 poverty, which is exacerbated in rural areas having no access to
3 public transit and longer distances between destinations. One
4 direct outcome of this problem is that drivers are more likely
5 to strike and kill pedestrians in low-income neighborhoods than
6 in high-income neighborhoods due to a lack of safe
7 infrastructure.

8 The legislature further finds that while Hawaii's progress
9 to one hundred per cent clean energy by 2045 has reduced
10 emissions and the cost of electricity for local residents by
11 decreasing a reliance on costly imported fossil fuels, vehicles
12 now account for nearly two-thirds of Hawaii's greenhouse gas
13 emissions and increasing costs to taxpayers. Today, clean
14 electric vehicles are already less expensive to operate and
15 maintain than traditional gasoline fueled cars, and are similar
16 in price. Modernizing ground transportation to support the
17 switch to electric vehicles will not only reduce long-term costs
18 for local commuters, but will also help meet Hawaii's goals to
19 eliminate fossil fuels in ground transportation and sequester
20 more greenhouse gasses than the State emits by 2045.



1 Additionally, rethinking the way Hawaii builds ground
2 transportation infrastructure will reduce the cost of living,
3 improve the quality of life for local residents, and stimulate
4 the economy. Greenways, sidewalks, and bike facilities have the
5 largest return on investment, stimulating construction and
6 increasing economic benefits by approximately \$17 for every
7 dollar spent. Streets with additional access to cheap forms of
8 transportation, including bike lanes, have also been reliably
9 shown to increase visitors and revenue at area businesses by as
10 much as forty per cent.

11 The legislature further finds that over the last century,
12 Hawaii's ground transportation was built as a car-centric
13 system, with little attention to alternatives, which has raised
14 the cost of living in the islands, negatively impacted the
15 quality of life, and resulted in some of the highest
16 transportation-related fatality rates in the nation. Merely
17 adding lanes to reduce traffic does not address Hawaii's most
18 pressing traffic, safety, health, and other issues. In fact, it
19 can often make them worse. Studies show that the traffic
20 benefits of spending tens of millions of dollars adding lanes to
21 accommodate more cars are often eliminated in just a few years



1 by additional cars incentivized to fill that space. Those funds
2 could have had a more significant and longer-lasting benefit if
3 they were expended to address other issues, such as expanding
4 options for people to commute by public transportation, biking,
5 or walking, especially for those in low-income communities.

6 Accordingly, the purpose of this Act is to modernize
7 Hawaii's ground transportation infrastructure by providing
8 additional metrics, considerations, and assistance to the
9 department of transportation in order to move Hawaii forward
10 into the twenty-first century by:

- 11 (1) Reducing transportation costs to local residents;
- 12 (2) Minimizing injuries and fatalities;
- 13 (3) Improving public health and quality of life; and
- 14 (4) Addressing greenhouse gas emissions.

15 SECTION 2. Chapter 264, Hawaii Revised Statutes, is
16 amended by adding a new part to be appropriately designated and
17 to read as follows:

18 "PART . GROUND TRANSPORTATION INFRASTRUCTURE
19 §264- Definitions. As used in this part, "department"
20 means the department of transportation.



1 **§264-** **Ground transportation facilities.** (a) The
2 department shall develop and implement a plan for the
3 establishment of the following:

4 (1) A contiguous network of motor vehicle highways
5 connecting communities throughout each island, in
6 which intersections with other modes of transportation
7 shall be minimized and a priority and preference for
8 access shall be given to public mass transportation;

9 (2) A contiguous network of bicycle and electric bicycle
10 highways or pathways connecting communities throughout
11 each island, in which intersections with other modes
12 of transportation shall be minimized; provided that
13 the bicycle and electric bicycle highways and pathways
14 shall be separated and protected from vehicular
15 traffic by physical or natural barriers or by
16 meaningful distance or elevation; and

17 (3) A contiguous network of pedestrian highways or
18 pathways connecting communities throughout each
19 island, in which intersections with other modes of
20 transportation shall be minimized; provided that the
21 pedestrian highways and pathways shall be separated



1 and protected from vehicular and bicycle traffic by
2 physical or natural barriers, or by meaningful
3 distance or elevation.

4 (b) Within each community the department shall coordinate
5 with the applicable county to develop a comprehensive plan for
6 the establishment of any portion of the following within the
7 department or county's jurisdiction, as applicable:

8 (1) A contiguous network of bicycle and pedestrian
9 pathways connecting all public schools and libraries
10 in each school complex area to one another, and to its
11 respective state and county transportation
12 infrastructure, in which intersections with other
13 modes of transportation shall be minimized; provided
14 that the pathway network shall be separated and
15 protected from vehicular traffic by physical or
16 natural barriers, or by meaningful distance or
17 elevation;

18 (2) A contiguous network of bicycle and pedestrian
19 pathways connecting commercial business and shopping
20 hubs to residential areas, and to its respective state
21 and county transportation infrastructure, in which



1 intersections with other modes of transportation shall
2 be minimized; provided that the pathway network shall
3 be separated and protected from vehicular traffic by
4 physical or natural barriers, or by meaningful
5 distance or elevation; and

6 (3) Pedestrian exercise and active health pathways of
7 meaningful length in which intersections with other
8 modes of transportation shall be minimized; provided
9 that these pathways shall be separated and protected
10 from vehicular traffic by physical or natural
11 barriers, or by meaningful distance or elevation, and
12 easily accessible to residential and high density
13 communities where appropriate.

14 §264- Ground transportation; project goals; reporting.

15 (a) When planning, designing, and implementing ground
16 transportation infrastructure for each project pursuant to this
17 part, the department shall endeavor to:

18 (1) Assess and maximize total throughput of people across
19 all modes of transportation;

20 (2) Achieve any goals described in the complete streets
21 policy adopted pursuant to section 264-20.5;



- 1 (3) Reduce vehicle miles traveled;
- 2 (4) Decrease the percentage of single occupancy vehicles
- 3 in the State's mode share;
- 4 (5) Provide equity for all communities and users;
- 5 (6) Improve safety and achieve any goals described in the
- 6 vision zero policy adopted pursuant to
- 7 section 286-7.5;
- 8 (7) Reduce user cost of transportation;
- 9 (8) Improve public health;
- 10 (9) Reduce carbon emissions and greenhouse gasses to meet
- 11 state renewable portfolio standards established in
- 12 section 269-92 and zero emissions clean economy by
- 13 2045 pursuant to section 225P-5;
- 14 (10) Reduce urban temperatures by incorporating tree canopy
- 15 and foliage over hardened surfaces; and
- 16 (11) Beautify public infrastructure.
- 17 (b) For each project planned by the department, the
- 18 department shall create a report detailing:
- 19 (1) How each goal in subsection (a) was implemented;



1 (2) How each goal meets the overall goals of
2 transportation infrastructure as outlined in
3 subsection (a); and

4 (3) Any necessary deviations from the goals outlined in
5 subsection (a) and the reasons for those deviations.

6 (c) No later than twenty days prior to the convening of
7 each regular session, the department shall submit to the
8 legislature a stand-alone report of, or include in any of the
9 department's relevant annual reports to the legislature, the
10 following:

11 (1) A list of all projects initiated, underway, or
12 completed during the preceding calendar year;

13 (2) The status of each project initiated or underway
14 during the preceding calendar year;

15 (3) The report for each project as required by
16 subsection (b); and

17 (4) A progress update outlining the department's success
18 in meeting the goals described in subsection (a).


19 **§264- Highways; ground transportation; generally.** The
20 department shall provide for a safe, accessible, equitable,
21 fully multimodal, and sustainable system of ground connections



1 that ensures the accessibility of people and goods and improves
2 economic vitality, public health, livability, and quality of
3 life."

4 SECTION 3. This Act shall take effect on July 1, 2021.

APPROVED this 30 day of JUN, 2021





GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.


President of the Senate


Clerk of the Senate

SB No. 1402, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives