
A BILL FOR AN ACT

RELATING TO SAFE ROUTES TO SCHOOL.

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

1 SECTION 1. The legislature finds that safety on our
2 streets is the top transportation priority. Ensuring safe
3 routes to school for every keiki will protect Hawaii's most
4 vulnerable road users and serve as a long-term investment in the
5 future of transportation in the State. Decades of
6 automobile-centric planning and development have created
7 formidable barriers to safety for keiki and kupuna on our roads.
8 These barriers include a lack of complete, safe, and comfortable
9 bicycle and pedestrian networks; burdensome and complicated
10 funding mechanisms for safe routes to school programs and
11 community engagement; a lack of a state safe routes to school
12 plan that creates performance measures, goals, strategies, and
13 accountability; and a lack of coordinated safe routes to school
14 promotion among state and county agencies and community-based
15 organizations.

16 The legislature further finds that the state department of
17 transportation's safe routes to school program was initially



1 created by section 219C-3, Hawaii Revised Statutes, in response
2 to the passage of the federal Safe, Accountable, Flexible,
3 Efficient Transportation Equity Act: A Legacy for Users, also
4 known as the SAFETEA-LU Act, and attendant funding. The
5 SAFETEA-LU Act funding expired in 2012, and similar federal
6 funds for this purpose have since ceased to be distributed to
7 the states. The legislature finds that section 291C-2, Hawaii
8 Revised Statutes, should be amended because the expiration of
9 federal funds means that the conformance to onerous and
10 complicated federal requirements is no longer needed, and,
11 accordingly, the program can be simplified.

12 The legislature further finds that the primary source of
13 funding for the safe routes to schools program currently comes
14 from surcharges on citations collected from traffic moving
15 violations, which are deposited into the safe routes to school
16 special fund. However, in 2021, the legislature enacted Act 9,
17 Special Session Laws of Hawaii 2021, which transferred the
18 responsibility of allocating moneys to county safe routes to
19 school programs from the state department of transportation to
20 the legislature. However, it has not been practical for the
21 legislature to distribute safe routes to schools special funds
22 for program objectives on an annual basis because the safe



1 routes to school program is a year-round program that requires
2 regular collaboration between the State, counties, and community
3 stakeholders to develop and implement programming and projects
4 year-round. The lack of a regular process and procedure has led
5 to safe routes to school program special fund moneys not being
6 distributed since 2020, disrupting a previously reliable source
7 of funding that communities and counties relied on for safe
8 routes to school programming and project development.

9 Since then, traffic fatalities have increased to record
10 levels, with 2022 seeing a record high one hundred seventeen
11 traffic fatalities and five hundred seventy-two serious
12 injuries, with many in and around schools. In 2023, two deaths
13 immediately outside Kaelepulu elementary school and McKinley
14 high school have illustrated the need for immediate action to
15 help create safer routes to schools.

16 Accordingly, the purpose of this Act is to prioritize the
17 safety of keiki by fixing and simplifying the safe routes to
18 schools program, re-engaging community stakeholders, and
19 appropriating funds to move priority projects and save lives by:

20 (1) Enhancing the safe routes to school program by
21 developing strategies and facilitating
22 transportation-related projects that will ensure that



1 keiki are able to safely walk, bike, or roll to common
2 destinations through the Vision Zero policy adopted by
3 the department of transportation and county
4 transportation departments pursuant to
5 section 286-7.5, Hawaii Revised Statutes; the ground
6 transportation facilities plans developed and
7 implemented by the department of transportation and
8 counties pursuant to section 264-142, Hawaii Revised
9 Statutes; and the safe routes to school program under
10 section 291C-3, Hawaii Revised Statutes;

11 (3) Establishing a safe routes to school advisory
12 committee of government and community stakeholders to
13 advise the State in carrying out the purposes of the
14 safe to schools program;

15 (4) Authorizing the safe routes to school advisory
16 committee to develop an application process for
17 projects under the safe routes to school program and
18 determine awards for selected projects; and

19 (5) Appropriating funds for priority projects that will
20 improve safety and allow keiki and their families to
21 safely walk, bike, or roll to school.



1 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§291C- Safe routes to school advisory committee. (a)
5 There is established within the planning branch of the highways
6 division of the department of transportation for administrative
7 purposes a safe routes to school advisory committee to advise
8 the State on strategies to ensure that each child in the State
9 is able to safely bike, walk, or roll to school.

10 (b) The safe routes to school advisory committee shall:

11 (1) Develop a comprehensive, statewide safe routes to
12 school plan that shall include:

13 (A) Goals, strategies, and performance metrics that
14 ensure accountability for improving safety,
15 active transportation mode share, community
16 investment in supportive programming, and
17 infrastructure quality, pursuant to
18 sections 286-7.5 and 264-142;

19 (B) Methods to ensure stability and consistency of
20 the safe routes to school program special fund,
21 which shall provide for infrastructure projects



- 1 and continuity of existing programmatic
2 (non-infrastructure) work;
- 3 (C) Recommendations to streamline and facilitate
4 efforts by communities to apply for and implement
5 projects pursuant to sections 286-7.5, 264-142,
6 and 291C-3; and
- 7 (D) Identification of, and recommendations for,
8 additional funding, planning, and programming
9 that are inclusive and equitable pursuant to
10 sections 286-7.5 and 264-142;
- 11 (2) Ensure timely and complete distribution of moneys
12 accrued in the safe routes to school special fund,
13 prioritizing continuity of existing programming;
- 14 (3) Review project proposals and select priority projects
15 pursuant to sections 286-7.5, 264-142, and 291C-3 to
16 be funded through the safe routes to school program or
17 otherwise be prioritized and implemented by the
18 department;
- 19 (4) Submit annual reports on the activities and
20 recommendations of the safe routes to school program
21 to the governor and legislature no later than
22 December 31 of each year; and



- 1 (5) Meet no less than monthly.
- 2 (c) The safe routes to school advisory committee shall
- 3 consist of the following members or their designees:
- 4 (1) One member to be appointed by the president of the
- 5 senate and one member to be appointed by the speaker
- 6 of the house of representatives, who shall chair the
- 7 advisory committee on an annually rotating basis;
- 8 (2) The department's safe routes to school program
- 9 coordinator;
- 10 (3) The deputy director of the department of
- 11 transportation's highways division;
- 12 (4) One member representing the physical activity and
- 13 nutrition section of the department of health's
- 14 chronic disease prevention and health promotion
- 15 division;
- 16 (5) The superintendent of education;
- 17 (6) The co-chairs of the Hawaii climate change mitigation
- 18 and adaptation commission;
- 19 (7) One member representing the Hawaii state energy
- 20 office;
- 21 (8) One member representing the Hawaii state council on
- 22 developmental disabilities;



- 1 (9) One member representing each county agency with
2 jurisdiction over transportation;
- 3 (10) One member representing an organization with a focus
4 on bicycling to be appointed by the governor, pursuant
5 to section 26-34, for a three-year term;
- 6 (11) One member representing an organization with a focus
7 on senior citizens and their families to be appointed
8 by the governor, pursuant to section 26-34, for a
9 three-year term;
- 10 (12) One member representing an organization that
11 understands the ways families with young children
12 navigate through the State to be appointed by the
13 governor, pursuant to section 26-34, for a three-year
14 term;
- 15 (13) One member representing an organization with a focus
16 on public health and mobility to be appointed by the
17 governor, pursuant to section 26-34, for a three-year
18 term;
- 19 (14) One member representing an organization with a focus
20 on transportation equity and mobility to be appointed
21 by the governor, pursuant to section 26-34, for a
22 three-year term; and



1 (15) The chairs of the house of representatives standing
2 committee and the senate standing committee with
3 primary jurisdiction over transportation, who shall
4 serve as non-voting, ex-officio members.

5 The chair of the committee may request the participation or
6 input of members of the public; experts in the field; and
7 county, state, or federal officials or others as necessary.

8 (d) Members of the safe routes to school advisory
9 committee shall serve without compensation but shall be
10 reimbursed for expenses, including travel expenses, necessary
11 for the performance of their duties.

12 (e) No member of the safe routes to school advisory
13 committee shall be subject to chapter 84 solely because of the
14 member's service on the committee."

15 SECTION 3. Section 291C-3, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§291C-3 State and county safe routes to school programs;**
18 **coordinators; grants; reports.** (a) There is established,
19 within the department of transportation, a safe routes to school
20 program that shall, among other things, enhance traffic safety
21 around Hawaii's schools, enable and encourage children to walk
22 and bicycle to school, and make bicycling and walking to school



1 a safer and more appealing transportation alternative. The
2 program shall be responsible for developing and publishing goals
3 and performance measures and providing technical assistance to
4 counties and community organizations in support of projects and
5 programs that advance state and county goals.

6 (b) There is created, within the department of
7 transportation, the position of safe routes to school program
8 coordinator. The safe routes to school program coordinator
9 shall provide a central point of contact for the [~~federal~~] safe
10 routes to school program.

11 (c) A county designated office, through the county safe
12 routes to school program coordinator, and in consultation with
13 the department of education, department of health, and Hawaii
14 Association of Independent Schools, shall provide safe routes to
15 school funds for school-based and community-based workshops and
16 infrastructure and non-infrastructure projects that will reduce
17 vehicular traffic and congestion, encourage walking and
18 bicycling, and promote health and safety around Hawaii's
19 schools.

20 (d) The legislature shall appropriate funds from the safe
21 routes to school program special fund to the counties to be used
22 for the implementation of county safe routes to school program



1 projects. No later than twenty days prior to the convening of
2 each regular session, each county shall submit to the
3 legislature an annual report on the status and progress of its
4 county safe routes to school program, including an accounting of
5 all grants provided through the program and a timeline for
6 future grant awards.

7 (e) Implementation of the county safe routes to school
8 program shall take into consideration the need to:

- 9 (1) Fill a permanent, full-time position of safe routes to
10 school coordinator within the county designated
11 office;
- 12 (2) Maximize the participation of school officials and
13 stakeholder groups in the community;
- 14 (3) Work in conjunction with county designated safe routes
15 to school stakeholders and train volunteer
16 facilitators for school-based workshops and
17 community-based projects, including flexible training
18 schedules;
- 19 (4) Train potential grant requestors and stakeholder
20 groups in federal and state requirements necessary for
21 procurement, contracts, design, and construction; and



1 (5) Allocate not less than ten per cent and not more than
2 thirty per cent of safe routes to school funds for
3 non-infrastructure-related activities or activities to
4 encourage walking and bicycling to school, public
5 awareness campaigns, student sessions on bicycle and
6 pedestrian safety, or other non-infrastructure
7 activities as prescribed under section 1404 of the
8 2005 Safe, Accountable, Flexible, Efficient
9 Transportation Equity Act: A Legacy for Users, Public
10 Law No. 109-59.

11 ~~[(f) Each grant proposal in the county safe routes to
12 school program shall:~~

- 13 ~~(1) Identify the modes of travel used by students to get
14 to school;~~
- 15 ~~(2) Determine the number of students using each mode of
16 travel;~~
- 17 ~~(3) Survey the parents of each student to gather
18 information regarding the factors involved in the
19 choice of transportation mode for the student and,
20 where the student travels by automobile or bus,
21 conditions that would need to change for the parent to~~



1 ~~permit the student to walk or ride a bicycle to~~
2 ~~school, and obstacles to walking and biking, and~~
3 (4) ~~Identify traffic infrastructure elements in the~~
4 ~~immediate vicinity of each school, including multi-~~
5 ~~lane roadways, speed limits, and traffic calming~~
6 ~~features that, either by their presence or absence,~~
7 ~~contribute to the use of automobiles as a student's~~
8 ~~mode of travel to school.~~

9 ~~(g)]~~ (f) The ~~[director of transportation, in~~
10 ~~consultation with organizations that have received non-~~
11 ~~infrastructure and pending infrastructure grants,]~~ safe routes to
12 school advisory committee established pursuant to
13 section 291C- shall develop a streamlined process for the safe
14 routes to school program that meets federal and state
15 requirements, simplifies the application process, and expedites
16 release of funding after completion of school-based and
17 community-based projects for infrastructure and
18 non-infrastructure.

19 ~~[-h)]~~ (g) The ~~[director of transportation]~~ safe routes to
20 school advisory committee established pursuant to
21 section 291C- shall submit to the legislature an annual
22 report of the status and progress of the safe routes to school



1 program, including an accounting of all grants provided through
2 the program and a timeline for future grant awards, no later
3 than twenty days prior to the convening of each regular session.

4 ~~[(i) Nothing in this section shall be construed as~~
5 ~~requiring actions or omissions that would render the State~~
6 ~~ineligible to receive funds for the safe routes to school~~
7 ~~program under the 2005 Safe, Accountable, Flexible,~~
8 ~~Efficient Transportation Equity Act: A Legacy for Users, Public~~
9 ~~Law No. 109-59.] "~~

10 SECTION 4. There is appropriated out of the state highway
11 fund the sum of \$ or so much thereof as may be
12 necessary for fiscal year 2023-2024 and the same sum or so much
13 thereof as may be necessary for fiscal year 2024-2025 to be
14 deposited into the safe routes to school program special fund.

15 SECTION 5. There is appropriated out of the safe routes to
16 school program special fund the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2023-2024 and the
18 same sum or so much thereof as may be necessary for fiscal year
19 2024-2025 to:

- 20 (1) Support and facilitate the safe routes to school
21 program, projects, and advisory committee; and



1 (2) Match any federal funds received by the State for
2 costs related to sidewalk and other infrastructure
3 planning, development, and construction.

4 The sums appropriated shall be expended by the department
5 of transportation for the purposes of this Act.

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

8 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

DOT; Safe Routes to School; Advisory Committee; Safe Routes to School Program Coordinator; Appropriation

Description:

Establishes the Safe Routes to School Advisory Committee. Requires the Safe Routes to School Advisory Committee to develop a comprehensive, statewide Safe Routes to School Plan. Amends the duties of the Department of Transportation's Safe Routes to School Program. Deposits state highway funds into the safe routes to school program special fund. Appropriates funds from the safe routes to school program special fund. Effective 7/1/2050. (SD2)

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