
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Act 54, Session Laws of Hawaii 2009, enacted
2 the complete streets law, codified as section 264-20.5, Hawaii
3 Revised Statutes, to require the department of transportation
4 and the county transportation departments to adopt a complete
5 streets policy that seeks to reasonably accommodate convenient
6 access and mobility for all users of the public highways within
7 their respective jurisdictions, including pedestrians,
8 bicyclists, transit users, motorists, and persons of all ages
9 and abilities.

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

13 The purpose of this Act is to:

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



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

15 SECTION 2. Section 264-20.5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~+~~**\$264-20.5**~~+~~ **Complete streets.** (a) The department of
18 transportation and the county transportation departments shall
19 adopt a complete streets policy that seeks to reasonably
20 accommodate convenient access and mobility for all users of the
21 public highways within their respective jurisdictions as



1 described under section 264-1, including pedestrians,
2 bicyclists, transit users, motorists, and persons of all ages
3 and abilities.

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

8 (c) This section shall not apply if:

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

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

15 (3) There exists a sparseness of population, or there
16 exists other available means, or similar factors
17 indicating an absence of a future need; or

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

20 (d) On or before December 31, 2016, and on or before
21 December 31 of each year thereafter, the director of



1 transportation shall submit to the legislature a report
2 detailing compliance with the complete streets policy and
3 principles during the preceding fiscal year. The report shall
4 include:

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

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

9 (3) Beginning July 1, 2017, measurable performance
10 standards and benchmarks, as established in
11 conjunction with the Moving Ahead for Progress in the
12 21st Century Act process applicable to each project;
13 and

14 (4) Problems and suggested solutions, and recommendations
15 to improve the process.

16 (e) The department of transportation shall establish and
17 publish performance standards with measurable benchmarks
18 reflecting the capacity for all users to travel with appropriate
19 safety and convenience along roadways under the jurisdiction of
20 the State.

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



- 1 (1) Complete streets policies of the State apply to new
2 construction, reconstruction, repaving, operations,
3 and maintenance activities;
- 4 (2) A complete streets policy checklist of duties of the
5 department of transportation is published in
6 accordance with section 1-28.5. The complete streets
7 checklist shall apply from initial planning through
8 final design, construction and operation for all new
9 construction, reconstruction, and repaving surface
10 transportation initiatives. The complete streets
11 checklist shall be updated from time to time as
12 necessary to facilitate the implementation of the
13 complete streets policy. As used in this paragraph,
14 "complete streets checklist" refers to a tool to
15 collect data and information about the status of the
16 roadway and the surrounding area, as well as the
17 details of the transportation facility or project,
18 with a goal of identifying specific elements that can
19 be incorporated to support and balance the needs of
20 all users; and



1 (3) The complete streets policy checklist with
2 accompanying documentation shall become a public
3 record and shall be accessible on the department of
4 transportation's website within sixty days of
5 completion of the checklist and accompanying
6 documentation.

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

9 (1) A context sensitive and multi-modal approach is
10 considered in ordinances;

11 (2) Consideration is given to allow flexibility in the
12 zoning requirements; and

13 (3) Other factors peculiar to the community are considered
14 when:

15 (A) The application of this section conflicts with
16 the context of the particular community; or

17 (B) A land use ordinance appears to conflict with the
18 principles of complete streets."

19 SECTION 3. The director of transportation shall provide
20 training for the department of transportation's design,
21 operations, and maintenance staff in complete streets policies,



1 principles, and implementation procedures that may be applicable
2 to the performance of their duties.

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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



Report Title:

Complete Streets; Transportation

Description:

Requires the Department of Transportation to report annually to the legislature on specified information regarding implementation of and compliance with complete streets policy. Clarifies statutory requirements of complete streets. (SD1)

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

