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

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

12 The purpose of this Act is to:

13 (1) Require the department of transportation to submit an
14 annual report to the legislature detailing compliance
15 with 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. (a) When planning,
 17 designing, and implementing ground transportation
 18 infrastructure, the department shall consider and pursue goals
 19 for each project that:

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



- 1 (2) Meet complete streets goals as defined in section
2 264-20.5;
- 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 goals 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 gasses 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 (b) On or before December 31, 2021, and on or before
19 December 31 of each year thereafter, the director of
20 transportation shall submit to the legislature a report



1 detailing progress towards compliance with the complete streets
2 policy and principles during the preceding fiscal year."

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

5 "(a) Out of the state highway fund amounts, whether state
6 funds or federal funds, shall be expended as necessary by the
7 State for the establishment of bikeways; provided that bikeways
8 shall be established, whenever practicable, wherever a new or
9 existing highway, road, or street is being designed, planned,
10 constructed, reconstructed, relocated, or rehabilitated. At
11 least [~~two~~] five per cent of eligible federal funds, and in
12 addition, other state highway fund moneys as available, shall be
13 expended to:

14 (1) Establish multi-use paths, bicycle paths, and bicycle
15 lanes; and

16 (2) Install signage and safety devices along bikeways;
17 provided that the department of transportation shall include the
18 bicycling community in a public involvement process to determine
19 the location of multi-use paths, bicycle paths, bicycle lanes,
20 and installation of signage and safety devices along bikeways.



1 Planning for any mass transit system shall include
2 appropriate accommodation for bicycle lanes, bikeways, and
3 bicycle routes, including bicycle racks on mass transit
4 vehicles, to enable mass transit users to connect conveniently
5 by bicycle to transit stations and bus stops.

6 This subsection shall not be construed as requiring the
7 expenditure of a county surcharge on state tax under section
8 46-16.8, on bicycle paths if the application of this subsection
9 conflicts with section 46-16.8."

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

12 "[~~§~~264-20.5~~]~~ **Complete streets.** (a) The department of
13 transportation and the county transportation departments shall
14 adopt a complete streets policy that seeks to reasonably
15 accommodate convenient access and mobility for all users of the
16 public highways within their respective jurisdictions as
17 described under section 264-1, including pedestrians,
18 bicyclists, transit users, motorists, and persons of all ages
19 and abilities.

20 (b) This section shall apply to new construction,
21 reconstruction, and maintenance of highways, roads, streets,



1 ways, and lanes located within urban, suburban, and rural areas,
2 if appropriate for the application of complete streets.

3 (c) This section shall not apply if:

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

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

10 (3) There exists a sparseness of population, or there
11 exists other available means, or similar factors
12 indicating an absence of a future need; or

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

15 (d) On or before December 31, 2021, and on or before
16 December 31 of each year thereafter, the director of
17 transportation shall submit to the legislature a report
18 detailing compliance with the complete streets policy and
19 principles during the preceding fiscal year. The report shall
20 include:



- 1 (1) A list of transportation facilities and projects
2 initiated during that fiscal year as well as the
3 complete streets features incorporated therein;
- 4 (2) Exceptions made under subsection (c);
- 5 (3) Beginning July 1, 2023, measurable performance
6 standards and benchmarks, as established in
7 conjunction with the Moving Ahead for Progress in the
8 21st Century Act process applicable to each project;
9 and
- 10 (4) Problems and suggested solutions and recommendations
11 to improve the process.
- 12 (e) The department of transportation shall establish and
13 publish performance standards with measurable benchmarks
14 reflecting the capacity for all users of the public highways to
15 travel with appropriate safety and convenience along roadways
16 under the jurisdiction of the State.
- 17 (f) The department of transportation shall ensure that:
- 18 (1) Complete streets policies of the State apply to new
19 construction, reconstruction, repaving, operations,
20 and maintenance activities; and



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



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

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

5 (2) Consideration is given to allow flexibility in the
6 zoning requirements; and

7 (3) Other factors peculiar to the community are considered
8 when:

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

11 (B) A land use ordinance conflicts with the
12 principles of complete streets."

13 SECTION 5. The director of transportation shall provide
14 training for the department of transportation's maintenance
15 staff in complete streets policies, principles, and
16 implementation procedures that may be applicable to the
17 performance of their duties.

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

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

21



S.B. NO. 1401
S.D. 2

Report Title:

Transportation; Department of Transportation; Complete Streets Law

Description:

Directs the department of transportation to fashion a complete streets policy and reporting requirements. Effective 5/6/2137. (SD2)

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

