

ACT 100

H.B. NO. 983

A Bill for an Act Relating to Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that almost every school in Hawaii is plagued by traffic congestion that results from poor planning and increased

vehicular traffic. It is estimated that as much as twenty to twenty-five per cent of morning traffic consists of parents driving their children to school. Ironically, safety concerns lead parents to drive their children to school, which increases traffic and makes it even less safe for others to walk and bike. Unfortunately, fifty per cent of children who are hit by cars near schools are hit by cars driven by parents of other students.

As part of the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Public Law No. 109-59, Hawaii has been awarded \$1,000,000 per year for five years for the Safe Routes to School program. Program funds may be used for both infrastructure-related and behavioral projects designed to reduce traffic, fuel consumption, and air pollution in the vicinity of schools and provide a safe and appealing environment for primary and secondary school children to walk and bicycle to school.

Efficient and effective use of Safe Routes to School funding requires planning that includes the full range of community stakeholders so that projects have the support of parents, students, and schools needed to succeed. Planning also needs to deemphasize very expensive engineering changes, like additional traffic lights that can consume one-third of the annual grant budget. Smaller projects involving more stakeholders and more schools are necessary to generate change across a broad spectrum of the state. The process must begin with assembling basic information about transportation issues confronting students, parents, and the community.

The purpose of this Act is to:

- (1) Enhance traffic safety, especially around Hawaii's schools;
- (2) Enable and encourage children to walk and bicycle to school; and
- (3) Make bicycling and walking to school a safer and more appealing transportation alternative through the federal Safe Routes to School program.

SECTION 2. (a) The director of transportation, through the Safe Routes to School coordinator, and in consultation with the department of education, department of health, and Hawaii Association of Independent Schools, shall provide federal Safe Routes to School program funds for school-based and community-based workshops and infrastructure and non-infrastructure projects that will reduce vehicular traffic and congestion, encourage walking and bicycling, and promote health and safety around Hawaii's schools. Implementation of the Safe Routes to School program shall take into consideration the need to:

- (1) Create and fill a permanent, full-time position of Safe Routes to School coordinator within the department of transportation to provide a central point of contact for the program;
- (2) Maximize the participation of stakeholder groups in the community and school officials;
- (3) Train volunteer facilitators for school-based workshops and community-based projects, including flexible training schedules;
- (4) Train potential grant requestors and stakeholder groups in federal and state requirements necessary in procurement, contracts, design, and construction; and
- (5) Allocate not less than ten per cent and not more than thirty per cent of the apportionment of federal Safe Routes to School program funds for non-infrastructure-related activities or activities to encourage walking and bicycling to school, public awareness campaigns, student sessions on bicycle and pedestrian safety, or other non-infrastructure activities as prescribed under Section 1404 of

P.L. 109-59 of the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act.

- (b) Each grant proposal in the Safe Routes to School program shall:
- (1) Identify the modes of travel used by students to get to school;
 - (2) Determine the number of students using each mode of travel;
 - (3) Survey the parents of each student to gather information regarding the factors involved in the choice of transportation mode for the student and, where the student travels by automobile or bus, what would need to change for the parent to permit the student to walk or ride a bicycle to school, and obstacles to walking and biking; and
 - (4) Identify traffic infrastructure elements in the immediate vicinity of each school, including multi-lane roadways, speed limits, and traffic calming features that, either by their presence or absence, contribute to the use of automobiles as a student's mode of travel to school.

SECTION 3. The director of transportation, in consultation with organizations that have received non-infrastructure and pending infrastructure grants, shall develop a streamlined process for the federal Safe Routes to School grant program that meets federal and state requirements, simplifies the application process, and expedites release of funding after completion of school-based and community-based projects for infrastructure and non-infrastructure.

SECTION 4. The director of transportation shall submit to the legislature a report of the status and progress of the Safe Routes to School program, no later than twenty days prior to the convening of the regular session of 2010.

SECTION 5. Nothing in this Act shall be construed as requiring actions or omissions that would render the State ineligible to receive funds for the Safe Routes to School program under the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Public Law No. 109-59.

SECTION 6. This Act shall take effect on July 1, 2009.

(Approved June 9, 2009.)