

ACT 131

S.B. NO. 1402

A Bill for an Act Relating to Transportation.

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

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

The legislature further finds that in addition to modernizing transportation by meeting these new state and national goals in Hawaii's transportation planning and projects, the way people use transportation in Hawaii has already begun to rapidly change. For example, the number of Hawaii's licensed drivers between the ages of fifteen and nineteen has plummeted nearly forty per cent in the last twenty-five years. In addition to the generational shift away from cars, today many drivers are switching from traditional gas cars to modern electric vehicles, with sales increasing exponentially between twenty and thirty per cent each year.

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

In Hawaii and around the country, inequitable investments into infrastructure have exacerbated costs and health disparities among different communities. Low-income areas typically have less access to bike lanes, sidewalks, and safe forms of cheaper transportation. This leaves low-income households in auto-centric communities more likely to fall into poverty, which is exacerbated in rural areas having no access to public transit and longer distances between destinations. One direct outcome of this problem is that drivers are more likely to strike and kill pedestrians in low-income neighborhoods than in high-income neighborhoods due to a lack of safe infrastructure.

The legislature further finds that while Hawaii's progress to one hundred per cent clean energy by 2045 has reduced emissions and the cost of electricity for local residents by decreasing a reliance on costly imported fossil fuels, vehicles now account for nearly two-thirds of Hawaii's greenhouse gas emissions

and increasing costs to taxpayers. Today, clean electric vehicles are already less expensive to operate and maintain than traditional gasoline fueled cars, and are similar in price. Modernizing ground transportation to support the switch to electric vehicles will not only reduce long-term costs for local commuters, but will also help meet Hawaii's goals to eliminate fossil fuels in ground transportation and sequester more greenhouse gasses than the State emits by 2045.

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

The legislature further finds that over the last century, Hawaii's ground transportation was built as a car-centric system, with little attention to alternatives, which has raised the cost of living in the islands, negatively impacted the quality of life, and resulted in some of the highest transportation-related fatality rates in the nation. Merely adding lanes to reduce traffic does not address Hawaii's most pressing traffic, safety, health, and other issues. In fact, it can often make them worse. Studies show that the traffic benefits of spending tens of millions of dollars adding lanes to accommodate more cars are often eliminated in just a few years by additional cars incentivized to fill that space. Those funds could have had a more significant and longer-lasting benefit if they were expended to address other issues, such as expanding options for people to commute by public transportation, biking, or walking, especially for those in low-income communities.

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

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

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

“PART . GROUND TRANSPORTATION INFRASTRUCTURE

§264- Definitions. As used in this part, “department” means the department of transportation.

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

- (1) A contiguous network of motor vehicle highways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized and a priority and preference for access shall be given to public mass transportation;
- (2) A contiguous network of bicycle and electric bicycle highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized; provided that the bicycle and electric bicycle highways and pathways shall be separated and protected from vehicular traffic by

physical or natural barriers or by meaningful distance or elevation; and

- (3) A contiguous network of pedestrian highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized; provided that the pedestrian highways and pathways shall be separated and protected from vehicular and bicycle traffic by physical or natural barriers, or by meaningful distance or elevation.

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

- (1) A contiguous network of bicycle and pedestrian pathways connecting all public schools and libraries in each school complex area to one another, and to its respective state and county transportation infrastructure, in which intersections with other modes of transportation shall be minimized; provided that the pathway network shall be separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation;
- (2) A contiguous network of bicycle and pedestrian pathways connecting commercial business and shopping hubs to residential areas, and to its respective state and county transportation infrastructure, in which intersections with other modes of transportation shall be minimized; provided that the pathway network shall be separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation; and
- (3) Pedestrian exercise and active health pathways of meaningful length in which intersections with other modes of transportation shall be minimized; provided that these pathways shall be separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation, and easily accessible to residential and high density communities where appropriate.

§264- Ground transportation; project goals; reporting. (a) When planning, designing, and implementing ground transportation infrastructure for each project pursuant to this part, the department shall endeavor to:

- (1) Assess and maximize total throughput of people across all modes of transportation;
- (2) Achieve any goals described in the complete streets policy adopted pursuant to section 264-20.5;
- (3) Reduce vehicle miles traveled;
- (4) Decrease the percentage of single occupancy vehicles in the State’s mode share;
- (5) Provide equity for all communities and users;
- (6) Improve safety and achieve any goals described in the vision zero policy adopted pursuant to section 286-7.5;
- (7) Reduce user cost of transportation;
- (8) Improve public health;
- (9) Reduce carbon emissions and greenhouse gasses to meet state renewable portfolio standards established in section 269-92 and zero emissions clean economy by 2045 pursuant to section 225P-5;
- (10) Reduce urban temperatures by incorporating tree canopy and foliage over hardened surfaces; and
- (11) Beautify public infrastructure.

(b) For each project planned by the department, the department shall create a report detailing:

- (1) How each goal in subsection (a) was implemented;
- (2) How each goal meets the overall goals of transportation infrastructure as outlined in subsection (a); and
- (3) Any necessary deviations from the goals outlined in subsection (a) and the reasons for those deviations.

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

- (1) A list of all projects initiated, underway, or completed during the preceding calendar year;
- (2) The status of each project initiated or underway during the preceding calendar year;
- (3) The report for each project as required by subsection (b); and
- (4) A progress update outlining the department's success in meeting the goals described in subsection (a).

§264- Highways; ground transportation; generally. The department shall provide for a safe, accessible, equitable, fully multimodal, and sustainable system of ground connections that ensures the accessibility of people and goods and improves economic vitality, public health, livability, and quality of life.”

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

(Approved June 30, 2021.)