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

4 "§291- Safe routes to school program surcharge. (a) In
5 addition to any other civil penalties ordered by the court, a
6 person who violates any offense under part I may be ordered to
7 pay a safe routes to school program surcharge of \$10.

8 (b) The person shall pay the surcharge to the clerk of the
9 court. The surcharge shall be deposited with the state director
10 of finance who shall transmit the surcharge to the safe routes
11 to school program special fund pursuant to section 291C-B."

12 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
13 amended by adding three new sections to be appropriately
14 designated and to read as follows:

15 "§291C-A Safe routes to school program. (a) There is
16 established, within the department of transportation, a safe
17 routes to school program that shall, among other things, enhance
18 traffic safety around Hawaii's schools, enable and encourage



1 children to walk and bicycle to school, and make bicycling and
2 walking to school a safer and more appealing transportation
3 alternative through the federal safe routes to school program.

4 (b) There is created, within the department of
5 transportation, the position of safe routes to school program
6 coordinator. The safe routes to school program coordinator
7 shall provide a central point of contact for the safe routes to
8 school program.

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

18 (d) Implementation of the safe routes to school program
19 shall take into consideration the need to:

20 (1) Fill a permanent, full-time position of safe routes to
21 school coordinator within the department of
22 transportation;



- 1 (2) Maximize the participation of stakeholder groups in
2 the community and school officials;
- 3 (3) Train volunteer facilitators for school-based
4 workshops and community-based projects, including
5 flexible training schedules;
- 6 (4) Train potential grant requestors and stakeholder
7 groups in federal and state requirements necessary in
8 procurement, contracts, design, and construction; and
- 9 (5) Allocate not less than ten per cent and not more than
10 thirty per cent of the apportionment of safe routes to
11 school funds for non-infrastructure-related activities
12 or activities to encourage walking and bicycling to
13 school, public awareness campaigns, student sessions
14 on bicycle and pedestrian safety, or other non-
15 infrastructure activities as prescribed under section
16 1404 of Public Law 109-59 of the federal Safe,
17 Accountable, Flexible, Efficient Transportation Equity
18 Act.
- 19 (e) Each grant proposal in the safe routes to school
20 program shall:
- 21 (1) Identify the modes of travel used by students to get
22 to school;



- 1 (2) Determine the number of students using each mode of
2 travel;
- 3 (3) Survey the parents of each student to gather
4 information regarding the factors involved in the
5 choice of transportation mode for the student and,
6 where the student travels by automobile or bus,
7 conditions that would need to change for the parent to
8 permit the student to walk or ride a bicycle to
9 school, and obstacles to walking and biking; and
- 10 (4) Identify traffic infrastructure elements in the
11 immediate vicinity of each school, including multi-
12 lane roadways, speed limits, and traffic calming
13 features that, either by their presence or absence,
14 contribute to the use of automobiles as a student's
15 mode of travel to school.
- 16 (f) The director of transportation, in consultation with
17 organizations that have received non-infrastructure and pending
18 infrastructure grants, shall develop a streamlined process for
19 the federal safe routes to school grant program that meets
20 federal and state requirements, simplifies the application
21 process, and expedites release of funding after completion of



1 school-based and community-based projects for infrastructure and
2 non-infrastructure.

3 (g) The director of transportation shall submit to the
4 legislature an annual report of the status and progress of the
5 safe routes to school program no later than twenty days prior to
6 the convening of the each regular session.

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

13 **§291C-B Safe routes to school program special fund.** (a)
14 There is established in the state treasury the safe routes to
15 school program special fund, into which shall be deposited:

- 16 (1) Federal safe routes to school program funds;
17 (2) Assessments collected for speeding in a school zone,
18 pursuant to section 291C-104; and
19 (3) Safe routes to school program surcharges collected in
20 accordance with sections 291- and 291C-C.

21 Moneys in the fund shall be distributed by the director of
22 transportation to the respective counties to expend.



1 (b) The director of transportation shall adopt rules
2 pursuant to chapter 91 to implement this section. The rules
3 shall establish a formula by which the moneys in the fund shall
4 be distributed to each county and provide how the county shall
5 expend the moneys for traffic calming measures in public school
6 zones.

7 **§291C-C Safe Routes to School Program Surcharge.** (a) In
8 addition to any other civil penalties ordered by the court, a
9 person who violates any offense under part X may be ordered to
10 pay a safe routes to school program surcharge of \$10 if the
11 violator is not already required to pay a safe routes to school
12 program surcharge pursuant to the violation of the offense.

13 (b) The person shall pay the surcharge to the clerk of the
14 court. The surcharge shall be deposited with the state director
15 of finance who shall transmit the surcharge to the safe routes
16 to school program special fund pursuant to section 291C-B."

17 SECTION 3. Section 291C-104, Hawaii Revised Statutes, is
18 amended by amending subsection (c) to read as follows:

19 "(c) Any person who violates this section shall be fined
20 \$250 [~~and~~]; may be charged with a surcharge of up to \$100 to be
21 deposited into the trauma system special fund[~~-~~]; and may be
22 charged with a surcharge of \$25 to be deposited into the safe



Report Title:

Safe Routes to School Program; Safe Routes to School Special Fund; Speeding in School Zone; Traffic Fines

Description:

Permanently establishes the Safe Routes to School Program within the Department of Transportation. Establishes a Safe Routes to School Special Fund. Assesses a surcharge of \$25 for violations of speeding in a school zone and a \$10 surcharge on various traffic violations and deposits these surcharges into the Safe Routes to School Special Fund. Deposits federal Safe Routes to School Program moneys into the Safe Routes to School Special Fund. Effective July 1, 2012.

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

