
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 shall 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 credit the surcharge to the safe routes to
11 school program special fund established under 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 State and county safe routes to school programs;
16 coordinators; grants; reports. (a) There is established,
17 within the department of transportation, a safe routes to school
18 program that shall, among other things, enhance traffic safety



1 around Hawaii's schools, enable and encourage children to walk
2 and bicycle to school, and make bicycling and walking to school
3 a safer and more appealing transportation alternative through
4 the federal safe routes to school program.

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

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

19 (d) The director of transportation, through the safe
20 routes to school program coordinator, and in consultation with
21 county safe routes to school program coordinators shall develop
22 a mechanism to provide funds to county safe routes to school



1 programs from the safe routes to school program special fund
2 established under section 291C-B to be used for the
3 implementation of county safe routes to school program projects.

4 (e) Implementation of the county safe routes to school
5 program shall take into consideration the need to:

6 (1) Fill a permanent, full-time position of safe routes to
7 school coordinator within the county designated
8 office;

9 (2) Maximize the participation of stakeholder groups in
10 the community and school officials;

11 (3) Work in conjunction with county designated safe routes
12 to school stakeholders and train volunteer
13 facilitators for school-based workshops and community-
14 based projects, including flexible training schedules;

15 (4) Train potential grant requestors and stakeholder
16 groups in federal and state requirements necessary in
17 procurement, contracts, design, and construction; and

18 (5) Allocate not less than ten per cent and not more than
19 thirty per cent of the apportionment of safe routes to
20 school funds for non-infrastructure-related activities
21 or activities to encourage walking and bicycling to
22 school, public awareness campaigns, student sessions



1 on bicycle and pedestrian safety, or other non-
2 infrastructure activities as prescribed under section
3 1404 of the 2005 Safe, Accountable, Flexible,
4 Efficient Transportation Equity Act: A Legacy for
5 Users, Public Law No. 109-59.

6 (f) Each grant proposal in the county safe routes to
7 school program shall:

8 (1) Identify the modes of travel used by students to get
9 to school;

10 (2) Determine the number of students using each mode of
11 travel;

12 (3) Survey the parents of each student to gather
13 information regarding the factors involved in the
14 choice of transportation mode for the student and,
15 where the student travels by automobile or bus,
16 conditions that would need to change for the parent to
17 permit the student to walk or ride a bicycle to
18 school, and obstacles to walking and biking; and

19 (4) Identify traffic infrastructure elements in the
20 immediate vicinity of each school, including multi-
21 lane roadways, speed limits, and traffic calming
22 features that, either by their presence or absence,



1 contribute to the use of automobiles as a student's
2 mode of travel to school.

3 (g) The director of transportation, in consultation with
4 organizations that have received non-infrastructure and pending
5 infrastructure grants, shall develop a streamlined process for
6 the federal safe routes to school grant program that meets
7 federal and state requirements, simplifies the application
8 process, and expedites release of funding after completion of
9 school-based and community-based projects for infrastructure and
10 non-infrastructure.

11 (h) The director of transportation shall submit to the
12 legislature an annual report of the status and progress of the
13 federal safe routes to school program, including an accounting
14 of all grants provided through the program and a timeline for
15 future grant awards, no later than twenty days prior to the
16 convening of each regular session.

17 (i) Nothing in this section shall be construed as
18 requiring actions or omissions that would render the State
19 ineligible to receive funds for the safe routes to school
20 program under the 2005 Safe, Accountable, Flexible,
21 Efficient Transportation Equity Act: A Legacy for Users, Public
22 Law No. 109-59.



1 **§291C-B Safe routes to school program special fund;**
2 **establishment.** (a) There is established in the state treasury
3 the safe routes to school program special fund, into which shall
4 be deposited:

5 (1) Assessments collected for speeding in a school zone,
6 pursuant to section 291C-104; and

7 (2) Safe routes to school program surcharges collected in
8 accordance with sections 291- and 291C-C.

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

11 (b) The director of transportation shall adopt rules
12 pursuant to chapter 91 to implement this section. The rules
13 shall establish a formula by which the moneys in the fund shall
14 be distributed to each county and provide how the county shall
15 expend the moneys for the purposes under 291C-A in public school
16 zones.

17 **§291C-C Safe routes to school program surcharge.** (a) In
18 addition to any other civil penalties ordered by the court, a
19 person who violates any offense under part X shall be ordered to
20 pay a safe routes to school program surcharge of \$10 if the
21 violation is not already required to pay a safe routes to school
22 program surcharge pursuant to the violation of the offense.



1 (b) The person shall pay the surcharge to the clerk of the
2 court. The surcharge shall be deposited with the state director
3 of finance who shall transmit the surcharge to the safe routes
4 to school program special fund established under section 291C-
5 B."

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

8 "(c) Any person who violates this section shall be fined
9 \$250 [~~and~~]; may be charged with a surcharge of up to \$100 to be
10 deposited into the trauma system special fund[~~-~~]; and, where the
11 violation involves speeding in a school zone, shall be charged
12 with a surcharge of \$25 to be deposited into the safe routes to
13 school program special fund."

14 SECTION 4. In codifying the new sections added by section
15 2 of this Act, the revisor of statutes shall substitute
16 appropriate section numbers for the letters used in designating
17 the new sections in this Act.

18 SECTION 5. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2012.



Report Title:

State and County Safe Routes to School Program; Safe Routes to School Program Special Fund; Surcharge

Description:

Permanently establishes the Safe Routes to School Program within the Department of Transportation. Establishes a Safe Routes to School Program 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 Program Special Fund. Effective July 1, 2012. (HB2626 HD1)

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

