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## A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Act 54, Session Laws of Hawaii 2009, enacted  
2 the complete streets law, codified as section 264-20.5, Hawaii  
3 Revised Statutes, to require the department of transportation  
4 and the county transportation departments to adopt a complete  
5 streets policy that seeks to reasonably accommodate convenient  
6 access and mobility for all users of the public highways within  
7 their respective jurisdictions, including pedestrians,  
8 bicyclists, transit users, motorists, and persons of all ages  
9 and abilities.

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

13           The purpose of this Act is to:

- 14           (1) Clarify the requirements of the complete streets law;  
15           and  
16           (2) Require the State to report annually to the  
17           legislature on specified information regarding



1 implementation of and compliance with complete streets  
2 policy.

3 SECTION 2. Section 264-20.5, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[+]§264-20.5[+] Complete streets. (a) The department of  
6 transportation and the county transportation departments shall  
7 adopt a complete streets policy that seeks to reasonably  
8 accommodate convenient access and mobility for all users of the  
9 public highways within their respective jurisdictions as  
10 described under section 264-1, including pedestrians,  
11 bicyclists, transit users, motorists, and persons of all ages  
12 and abilities.

13 (b) This section shall apply to new construction,  
14 reconstruction, and maintenance of highways, roads, streets,  
15 ways, and lanes located within urban, suburban, and rural areas,  
16 if appropriate for the application of complete streets.

17 (c) This section shall not apply if:

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



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

4           (3) There exists a sparseness of population, or there  
5           exists other available means, or similar factors  
6           indicating an absence of a future need; or

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

9           (d) On or before December 31 of each year, the director of  
10 transportation shall submit to the legislature a report  
11 detailing compliance with the complete streets policy and  
12 principles during the prior fiscal year, including:

13           (1) A list of transportation facilities and projects  
14           initiated during that fiscal year as well as the  
15           complete streets features incorporated therein;

16           (2) Exceptions made under subsection (c);

17           (3) Measurable performance standards and benchmarks  
18           applicable to each project; and

19           (4) Problems, suggested solutions, and further  
20           recommendations to improve the process.



1       (e) The department of transportation shall establish and  
2 publish performance standards with measurable benchmarks  
3 reflecting the capacity for all users to travel with appropriate  
4 safety and convenience along roadways under the jurisdiction of  
5 the State.

6       (f) The department of transportation shall ensure that:

7       (1) Complete streets policies of the State apply to new  
8 construction, reconstruction, repaving, operations,  
9 and maintenance activities;

10       (2) A complete streets policy checklist of duties of the  
11 department of transportation shall be published in  
12 accordance with section 1-28.5. The complete streets  
13 checklist shall apply from initial planning through  
14 final design, construction, and operation for all new  
15 construction, reconstruction, and repaving surface  
16 transportation initiatives. The complete streets  
17 checklist shall be updated from time to time as  
18 necessary to facilitate the implementation of the  
19 complete streets policy. As used in this paragraph,  
20 "complete streets checklist" means a tool to collect  
21 data and information about the status of the roadway



1           and the surrounding area, as well as the details of  
2           the transportation facility or project, with a goal of  
3           identifying specific elements that may be incorporated  
4           to support and balance the needs of all users; and

5           (3) The complete streets checklist under paragraph (2)  
6           shall be completed at the time of preliminary design  
7           for each project in order to allow for public comments  
8           to be submitted in time to influence the final design  
9           of a project. The preliminary complete street  
10           checklist with accompanying documentation shall become  
11           a public record and shall be accessible online on the  
12           department of transportation's website within thirty  
13           days of completion of the checklist and accompanying  
14           documentation."

15           SECTION 3. The director of transportation shall provide  
16 training for the department of transportation's design,  
17 operations, and maintenance staff in complete streets policies,  
18 principles, and implementation procedures that may be applicable  
19 to the performance of their duties.

20           SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. A. ..." with a horizontal line underneath it.

JAN 29 2015



# H.B. NO. 1358

**Report Title:**

Complete Streets; Transportation

**Description:**

Requires the State to report annually to the legislature on specified information regarding implementation of and compliance with complete streets policy. Clarifies statutory requirements of complete streets.

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

