
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. The legislature finds that safety on our
2 streets is the top transportation priority. Ensuring safe
3 routes to school for every keiki will protect Hawaii's most
4 vulnerable road users and serve as a long-term investment in the
5 future of transportation in the State. Decades of
6 automobile-centric planning and development have created
7 formidable barriers to safety for keiki and kupuna on our roads.
8 These barriers include a lack of complete, safe, and comfortable
9 bicycle and pedestrian networks; burdensome and complicated
10 funding mechanisms for safe routes to school programs and
11 community engagement; a lack of a state safe routes to school
12 plan that creates performance measures, goals, strategies, and
13 accountability; and a lack of coordinated safe routes to school
14 promotion among state and county agencies and community-based
15 organizations.

16 The legislature further finds that the state department of
17 transportation's safe routes to school program was initially



1 created by section 219C-3, Hawaii Revised Statutes, in response
2 to the passage of the federal Safe, Accountable, Flexible,
3 Efficient Transportation Equity Act: A Legacy for Users, also
4 known as the SAFETEA-LU Act, and attendant funding. The
5 SAFETEA-LU Act funding expired in 2012, and similar federal
6 funds for this purpose have since ceased to be distributed to
7 the states. The legislature finds that section 291C-2, Hawaii
8 Revised Statutes, should be amended because the expiration of
9 federal funds means that the conformance to onerous and
10 complicated federal requirements is no longer needed, and,
11 accordingly, the program can be simplified.

12 The legislature further finds that the primary source of
13 funding for the safe routes to schools program currently comes
14 from surcharges on citations collected from traffic moving
15 violations, which are deposited into the safe routes to school
16 special fund. However, in 2021, the legislature enacted Act 9,
17 Special Session Laws of Hawaii 2021, which transferred the
18 responsibility of allocating moneys to county safe routes to
19 school programs from the state department of transportation to
20 the legislature. However, it has not been practical for the
21 legislature to distribute safe routes to schools special funds



1 for program objectives on an annual basis because the safe
2 routes to school program is a year-round program that requires
3 regular collaboration between the State, counties, and community
4 stakeholders to develop and implement programming and projects
5 year-round. The lack of a regular process and procedure has led
6 to safe routes to school program special fund moneys not being
7 distributed since 2020, disrupting a previously reliable source
8 of funding that communities and counties relied on for safe
9 routes to school programming and project development.

10 Since then, traffic fatalities have increased to record
11 levels, with 2022 seeing a record high one hundred seventeen
12 traffic fatalities and five hundred seventy-two serious
13 injuries, with many in and around schools. In 2023, two deaths
14 immediately outside Kaelepulu elementary school and McKinley
15 high school have illustrated the need for immediate action to
16 help create safer routes to schools.

17 Accordingly, the purpose of this Act is to prioritize the
18 safety of keiki by fixing and simplifying the safe routes to
19 schools program, re-engaging community stakeholders, and
20 appropriating funds to move priority projects and save lives by:



- 1 (1) Enhancing the safe routes to school program by
2 developing strategies and facilitating
3 transportation-related projects that will ensure that
4 keiki are able to safely walk, bike, or roll to common
5 destinations through the Vision Zero policy adopted by
6 the department of transportation and county
7 transportation departments pursuant to
8 section 286-7.5, Hawaii Revised Statutes; the ground
9 transportation facilities plans developed and
10 implemented by the department of transportation and
11 counties pursuant to section 264-142, Hawaii Revised
12 Statutes; and the safe routes to school program under
13 section 291C-3, Hawaii Revised Statutes;
- 14 (2) Establishing a safe routes to school advisory
15 committee of government and community stakeholders to
16 advise the State in carrying out the purposes of the
17 safe to schools program;
- 18 (3) Authorizing the safe routes to school advisory
19 committee to develop an application process for
20 projects under the safe routes to school program and
21 determine awards for selected projects; and



1 (4) Appropriating funds for priority projects that will
2 improve safety and allow keiki and their families to
3 safely walk, bike, or roll to school.

4 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
5 amended by adding a new section to part I to be appropriately
6 designated and to read as follows:

7 "§291C- Safe routes to school advisory committee. (a)

8 There is established within the planning branch of the highways
9 division of the department of transportation for administrative
10 purposes a safe routes to school advisory committee to advise
11 the State on strategies to ensure that each child in the State
12 is able to safely bike, walk, or roll to school.

13 (b) The safe routes to school advisory committee shall:

14 (1) Develop a comprehensive, statewide safe routes to
15 school plan that shall include:

16 (A) Goals, strategies, and performance metrics that
17 ensure accountability for improving safety,
18 active transportation mode share, community
19 investment in supportive programming, and
20 infrastructure quality, pursuant to
21 sections 286-7.5 and 264-142;



- 1 (B) Methods to ensure stability and consistency of
2 the safe routes to school program special fund,
3 which shall provide for infrastructure projects
4 and continuity of existing programmatic
5 (non-infrastructure) work;
- 6 (C) Recommendations to streamline and facilitate
7 efforts by communities to apply for and implement
8 projects pursuant to sections 286-7.5, 264-142,
9 and 291C-3; and
- 10 (D) Identification of, and recommendations for,
11 additional funding, planning, and programming
12 that are inclusive and equitable pursuant to
13 sections 286-7.5 and 264-142;
- 14 (2) Ensure distribution of moneys accrued in the safe
15 routes to school special fund, prioritizing continuity
16 of existing programming;
- 17 (3) Review project proposals and select priority projects
18 within one mile of any school or place of learning
19 pursuant to sections 286-7.5, 264-142, and 291C-3 to
20 be funded through the safe routes to school program or



1 otherwise be prioritized and implemented by the
2 department;
3 (4) Submit annual reports on the activities and
4 recommendations of the safe routes to school program
5 to the governor and legislature no later than
6 December 31 of each year; and
7 (5) Meet no less than monthly.
8 (c) The safe routes to school advisory committee shall
9 consist of the following members or their designees:
10 (1) One member to be appointed by the president of the
11 senate and one member to be appointed by the speaker
12 of the house of representatives, who shall chair the
13 advisory committee annually on a rotating basis;
14 (2) The department of transportation's safe routes to
15 school program coordinator;
16 (3) The deputy director of the department of
17 transportation's highways division;
18 (4) One member representing the physical activity and
19 nutrition section of the department of health's
20 chronic disease prevention and health promotion
21 division;



- 1 (5) The superintendent of education;
- 2 (6) The co-chairs of the Hawaii climate change mitigation
3 and adaptation commission;
- 4 (7) One member representing the Hawaii state energy
5 office;
- 6 (8) One member representing the Hawaii state council on
7 developmental disabilities;
- 8 (9) One member representing each county agency with
9 jurisdiction over transportation;
- 10 (10) One member representing an organization with a focus
11 on bicycling to be appointed by the governor, pursuant
12 to section 26-34, for a three-year term;
- 13 (11) One member representing an organization with a focus
14 on senior citizens and their families to be appointed
15 by the governor, pursuant to section 26-34, for a
16 three-year term;
- 17 (12) One member representing an organization that
18 understands the ways families with young children
19 navigate through the State to be appointed by the
20 governor, pursuant to section 26-34, for a three-year
21 term;



1 (13) One member representing an organization with a focus
2 on public health and mobility to be appointed by the
3 governor, pursuant to section 26-34, for a three-year
4 term;

5 (14) One member representing an organization with a focus
6 on transportation equity and mobility to be appointed
7 by the governor, pursuant to section 26-34, for a
8 three-year term; and

9 (15) The chairs of the house of representatives standing
10 committee and the senate standing committee with
11 primary jurisdiction over transportation, who shall
12 serve as non-voting, ex-officio members.

13 The chair of the committee may request the participation or
14 input of members of the public; experts in the field; and
15 county, state, or federal officials or others as necessary.

16 (d) Members of the safe routes to school advisory
17 committee shall serve without compensation but shall be
18 reimbursed for expenses, including travel expenses, necessary
19 for the performance of their duties.



1 (e) No member of the safe routes to school advisory
2 committee shall be subject to chapter 84 solely because of the
3 member's service on the committee."

4 SECTION 3. Section 291C-3, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§291C-3 State and county safe routes to school programs;**

7 **coordinators; grants; reports.** (a) There is established,
8 within the department of transportation, a safe routes to school
9 program that shall, among other things, enhance traffic safety
10 around Hawaii's schools, enable and encourage children to walk
11 and bicycle to school, and make bicycling and walking to school
12 a safer and more appealing transportation alternative. The
13 program shall be responsible for developing and publishing goals
14 and performance measures in coordination with the safe routes to
15 school advisory committee and providing technical assistance to
16 counties and community organizations in support of projects and
17 programs that advance state and county goals.

18 (b) There is created, within the department of
19 transportation, the position of safe routes to school program
20 coordinator. The safe routes to school program coordinator



1 shall provide a central point of contact for the [~~federal~~] safe
2 routes to school program.

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

12 (d) The legislature shall appropriate funds from the safe
13 routes to school program special fund to the counties to be used
14 for the implementation of county safe routes to school program
15 plans and projects. No later than twenty days prior to the
16 convening of each regular session, each county shall submit to
17 the legislature an annual report on the status and progress of
18 its county safe routes to school program, including an
19 accounting of all grants provided through the program and a
20 timeline for future grant awards.



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

3 (1) Fill a permanent, full-time position of safe routes to
4 school coordinator within the county designated
5 office;

6 (2) Maximize the participation of school officials and
7 stakeholder groups in the community;

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

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

16 (5) Allocate not less than ten per cent and not more than
17 thirty per cent of safe routes to school funds for
18 non-infrastructure-related activities or activities to
19 encourage walking and bicycling to school, public
20 awareness campaigns, student sessions on bicycle and
21 pedestrian safety, or other non-infrastructure



1 activities [~~as prescribed under section 1404 of the~~
2 ~~2005 Safe, Accountable, Flexible, Efficient~~
3 ~~Transportation Equity Act: A Legacy for Users, Public~~
4 ~~Law No. 109-59]~~.

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

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

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

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

18 ~~(4) Identify traffic infrastructure elements in the~~
19 ~~immediate vicinity of each school, including multi-~~
20 ~~lane roadways, speed limits, and traffic calming~~
21 ~~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)] (f) The [director of transportation, in~~
4 ~~consultation with organizations that have received non-~~
5 ~~infrastructure and pending infrastructure grants,] safe routes to~~
6 ~~school advisory committee established pursuant to~~
7 ~~section 291C- shall develop a streamlined process for the safe~~
8 ~~routes to school program that meets federal and state~~
9 ~~requirements, simplifies the grant proposal application process,~~
10 ~~and expedites release of funding after completion of school-based~~
11 ~~and community-based projects for infrastructure and~~
12 ~~non-infrastructure.~~

13 ~~[-(h)] (g) The [director of transportation] safe routes to~~
14 ~~school advisory committee established pursuant to~~
15 ~~section 291C- shall submit to the legislature an annual~~
16 ~~report of the status and progress of the safe routes to school~~
17 ~~program, including an accounting of all grants provided through~~
18 ~~the program and a timeline for future grant awards, no later~~
19 ~~than twenty days prior to the convening of each regular session.~~

20 ~~[-(i)] Nothing in this section shall be construed as~~
21 ~~requiring actions or omissions that would render the State~~



1 ~~ineligible to receive funds for the safe routes to school~~
2 ~~program under the 2005 Safe, Accountable, Flexible,~~
3 ~~Efficient Transportation Equity Act: A Legacy for Users, Public~~
4 ~~Law No. 109-59.]"~~

5 SECTION 4. There is appropriated out of the state highway
6 fund the sum of \$10,000,000 or so much thereof as may be
7 necessary for fiscal year 2023-2024 and the same sum or so much
8 thereof as may be necessary for fiscal year 2024-2025 to be
9 deposited into the safe routes to school program special fund.

10 SECTION 5. There is appropriated out of the safe routes to
11 school program special fund the sum of \$10,000,000 or so much
12 thereof as may be necessary for fiscal year 2023-2024 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2024-2025 to:

- 15 (1) Support and facilitate the safe routes to school
16 program, projects, and advisory committee; and
17 (2) Match any federal funds received by the State for
18 costs related to sidewalk and other infrastructure
19 planning, development, and construction.

20 The sums appropriated shall be expended by the department
21 of transportation for the purposes of this Act.



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, 2023.



H.B. NO. 600
H.D. 1
S.D. 2
C.D. 1

Report Title:

DOT; Safe Routes to School; Advisory Committee; Safe Routes to School Program Coordinator; Appropriation

Description:

Establishes the Safe Routes to School Advisory Committee. Requires the Safe Routes to School Advisory Committee to develop a comprehensive, statewide Safe Routes to School Plan. Amends the duties of the Department of Transportation's Safe Routes to School Program. Deposits state highway funds into the safe routes to school program special fund. Appropriates funds from the safe routes to school program special fund. (CD1)

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