

JAN 19 2024

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# A BILL FOR AN ACT

RELATED TO TRANSPORTATION.

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

1           SECTION 1. The legislature finds that emissions from  
2 private vehicles account for twenty-eight per cent of all  
3 greenhouse gas emissions in the country. The output of these  
4 emissions peaks at normal commuting hours before and after the  
5 workday. A key component to meeting the State's decarbonization  
6 goals will be the reduction of vehicle miles travelled by  
7 commuters, which can be done through several mechanisms,  
8 including public transportation. Public transit produces  
9 significantly less air pollution in comparison to a car carrying  
10 one driver, and studies have shown that bus transit is sixty  
11 times safer than driving.

12           The legislature further finds that opting for public  
13 transit over private vehicles for commutes helps drivers save  
14 money on fuel, insurance, parking, and vehicle maintenance  
15 costs, which can reduce the cost of living for Hawaii residents.

16           The legislature also finds that the State has a  
17 responsibility to lead in the decarbonization transition and



1 should encourage the utilization of public transportation that  
2 encourages fuel efficiency per passenger mile and contributes to  
3 an overall decrease in the necessary amount of energy for  
4 transportation.

5 The purpose of this Act is to require the department of  
6 transportation to establish a state employee commuter benefits  
7 program.

8 SECTION 2. Chapter 196, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§196- State employee commuter benefits program. (a)

12 The department of transportation shall establish a state  
13 employee commuter benefits program that consists of one or more  
14 of the following commuter benefits options:

- 15 (1) A program, consistent with section 132(f) of the  
16 Internal Revenue Code of 1986, as amended, allowing  
17 covered employees to elect to exclude from taxable  
18 wages costs incurred for transit passes, vanpool  
19 charges, and bicycle commuting costs up to the maximum  
20 amount allowed by federal tax law; or



1       (2) A program whereby the department offers state  
2       employees a subsidy to offset the monthly cost of  
3       commuting via transit, vanpool, or bicycle. The  
4       subsidy shall be equal to the lesser of the monthly  
5       cost of a transit pass or the monthly cost of a  
6       vanpool; provided that a subsidy for bicycle costs  
7       shall be in addition to subsidies for transit and  
8       vanpool costs.

9       (b) Nothing in this section shall prevent the department  
10      of transportation from offering a more generous commuter benefit  
11      that is otherwise consistent with the requirements of the  
12      applicable employee commuter benefits program. Nothing in this  
13      section shall require employees to change their method of  
14      commute.

15      (c) For purposes of this section:

16      "Transit pass" means any pass, token, fare card, voucher,  
17      or similar item entitling a person to transportation on public  
18      transit, including but not limited to travel by bus or train.

19      "Vanpool" means any highway vehicle that:

20      (1) Has the seating capacity of at least six adults, not  
21      including the driver; and



1        (2) Is reasonably expected to use at least eighty per cent  
2                    of the mileage for the purpose of transporting a  
3                    number of employees equal to at least fifty per cent  
4                    of the seating capacity of the vehicle, not including  
5                    the driver, in connection with travel between the  
6                    residence and place of employment of employees."

7        SECTION 3. New statutory material is underscored.

8        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 



# S.B. NO. 2894

**Report Title:**

DOT; State Employees; State Employee Commuter Benefits Program;  
Public Transit

**Description:**

Requires the Department of Transportation to establish a State Employee Commuter Benefits Program that provides free or subsidized public transit to state employees.

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