

ACT 54

S.B. NO. 718

A Bill for an Act Relating to Transportation.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§286- Complete streets. (a) The department of transportation and the county transportation departments shall adopt a complete streets policy that seeks to reasonably accommodate convenient access and mobility for all users of the public highways within their respective jurisdictions as described under section 264-1, including pedestrians, bicyclists, transit users, motorists, and persons of all ages and abilities.

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

(c) This section shall not apply if:

- (1) Use of a particular highway, road, street, way, or lane by bicyclists or pedestrians is prohibited by law, including within interstate highway corridors;
- (2) The costs would be excessively disproportionate to the need or probable use of the particular highway, road, street, way, or lane;
- (3) There exists a sparseness of population, or there exists other available means, or similar factors indicating an absence of a future need; or
- (4) The safety of vehicular, pedestrian, or bicycle traffic may be placed at unacceptable risk.”

SECTION 2. (a) There is established a temporary task force, exempt from section 26-34, Hawaii Revised Statutes, to review existing state and county highway design standards and guidelines, for the purpose of:

- (1) Determining standards and guidelines that can be established to apply statewide and within each county to provide consistency for all highway users;

- (2) Proposing changes to state and county highway design standards and guidelines; and
- (3) Making recommendations for restructuring procedures, rewriting design manuals, and creating new measures to track success, within one year after implementation of the recommendations under subsection (c).
- (b) The members of the task force shall be selected by the director of transportation, and shall include one member representing:
 - (1) The department of transportation;
 - (2) The department of health;
 - (3) Each county's public works department or transportation department;
 - (4) Hawaii Bicycling League;
 - (5) Peoples Advocacy for Trails Hawai'i;
 - (6) AARP Hawaii;
 - (7) Hawaii Highway Users Alliance;
 - (8) University of Hawaii's department of urban and regional planning or department of civil and environmental engineering;
 - (9) Developers;
 - (10) Federal Highway Administration; and
 - (11) Other interested parties.
- (c) The task force shall submit to the legislature, through the department of transportation, the following:
 - (1) An interim progress report no later than twenty days prior to the convening of the regular session of 2010; and
 - (2) A final report, including findings, recommendations, and proposed legislation, no later than twenty days prior to the convening of the regular session of 2011.
- (d) The task force shall cease to exist upon filing of its final report.

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval; provided that section 1 shall apply to any development for which planning or design commences on or after January 1, 2010.

(Approved May 6, 2009.)

Note

- 1. Edited pursuant to HRS §23G-16.5.