

ACT 242

S.B. NO. 1086

A Bill for an Act Relating to Transportation.

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

SECTION 1. The legislature finds that the department of transportation manages and spends more taxpayer dollars than nearly any other state agency. Most departments of transportation throughout the country have robust mechanisms to ensure funds are best spent, including publicly transparent processes to evaluate, select, and track projects; oversight commissions of expert stakeholders to independently monitor, evaluate, and provide guidance to the department and policymakers; and regular robust reporting that meaningfully measures and assesses overall progress toward public policy goals.

Accordingly, the purpose of this Act is to amend the name, composition, and duties of the state highway safety council to make the council an independently led group of expert stakeholders that may review the department of transportation's efforts to ensure transparency and provide guidance to the department and legislature to help achieve state transportation goals and outcomes.

SECTION 2. Section 286-5, Hawaii Revised Statutes, is amended to read as follows:

“§286-5 State highway safety and modernization council. (a) There is established the Hawaii highway safety and modernization council. ~~[The director of transportation shall serve as its chairperson.]~~ The council shall be chaired on an annually rotating basis by a member appointed by the president of the senate and a member appointed by the speaker of the house of representatives. In addition to the member appointed by the president of the senate and member appointed by the speaker of the house of representatives, the following or their designated representatives shall be members of the council: the chief justice, the attorney general, the director of health, the superintendent of education, the executive director of the state public charter school commission, the president of the University of Hawaii, the chairperson of the University of Hawaii at Manoa department of urban and regional planning, the co-chairpersons of the Hawaii climate change mitigation and adaptation commission, the director of the office of planning and sustainable development, the chief energy officer of the Hawaii state energy office, an additional two members appointed by the president of the senate and speaker of the house of representatives, respectively, the chairperson of each of the county highway safety councils established under section 286-6, and not more than [twenty] twelve other persons who shall be appointed by the governor for a three-year term as follows:

- (1) One member from an organization representing senior citizens;
- (2) One member from an organization representing bicyclists;
- (3) One member from an organization having a focus on micro-mobility;
- (4) One member from an organization having a focus on transportation, planning, and improvement;
- (5) One member from an organization having a focus on reducing the cost of transportation for low-income communities;
- (6) One member from an organization representing labor and construction;

- (7) One member from an organization representing trucking and cargo carriers;
- (8) One member from an organization having a focus on the electrification of transportation;
- (9) One member from an organization having a focus on expanding trees and foliage and reducing urban heat;
- (10) One member from an organization representing the automobile manufacturing industry; and
- (11) Up to two members on the basis of their interest in [highway] transportation safety[-] and related state goals.
 - (b) The state highway safety and modernization council shall [advise]:
 - (1) Review programs, projects, plans, and strategies related to improving safety in ground transportation in the department of transportation;
 - (2) Ensure transparency and oversight in programs, projects, decisions, and spending related to ground transportation in the department of transportation;
 - (3) Establish metrics and benchmarks for the department of transportation to ensure progress on state goals related to ground transportation, safety, and other related goals;
 - (4) Review projects in development and make recommendations for how each project might be improved, if warranted, to better meet state goals, before project plans and designs are finalized;
 - (5) Provide direction to the department of transportation and make recommendations to the legislature as necessary to ensure progress on state goals related to ground transportation, safety, and other related goals;
 - (6) Advise the governor, legislature, and public on matters relating to the programs [and], activities, projects, outcomes, and recommendations of the State in the field of [highway] transportation safety[-]; and
 - (7) Submit an annual report to the department of transportation that reflects the work, responsibilities, and recommendations of the council.

(c) The members of the council shall serve without pay but shall be entitled to reimbursement for necessary expenses while attending meetings and while in discharge of their duties.”

SECTION 3. Members of the state highway safety and modernization council who are appointed and serving on the council before the effective date of this Act shall continue to serve any remaining time left in their terms; provided that their respective expertise aligns with the council membership requirements pursuant to this Act.

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

SECTION 5. This Act shall take effect on July 1, 2023.

(Approved July 6, 2023.)