

# STATE OF HAWAII DEPARTMENT OF TRANSPORTATION 869 PUNCHBOWL STREET HONOLULU, HAWAII 96813-5097

December 11, 2020

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ROSS M. HIGASHI
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IN REPLY REFER TO:

DIR 1.11569

The Honorable Ronald D. Kouchi President and Members of the Senate 31<sup>st</sup> State Legislature State Capitol, Room 409 Honolulu, Hawaii 96813 The Honorable Scott K. Saiki Speaker and Members of the House of Representatives 31<sup>st</sup> State Legislature State Capitol, Room 431 Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Vision Zero report as required by Act 134 (19).

In accordance with HRS 93-16, I am also informing you that the report may be viewed electronically at: <a href="https://hidot.hawaii.gov/library/reports/reports-to-the-legislature/">https://hidot.hawaii.gov/library/reports/reports-to-the-legislature/</a>.

Sincerely

JADE T. BUTAY Director of Transportation

Attachment

# DEPARTMENT OF TRANSPORTATION'S FINAL REPORT TO LEGISLATURE

OF

THE STATE OF HAWAII

ON

**ACT 134** 

**REGULAR SESSION OF HAWAII 2021** 

Requiring the Hawaii Department of Transportation and County
Transportation Departments to Adopt a Vision Zero Policy and the
State Highway Safety Council to Submit a Final Report on the Vision
Zero Action Plan to Reduce Traffic Fatalities to Zero

PREPARED BY:

STATE HIGHWAY SAFETY COUNCIL

HAWAII DEPARTMENT OF TRANSPORTATION

DECEMBER 2020

#### STATE HIGHWAY SAFETY COUNCIL'S FINAL REPORT TO THE LEGISLATURE ON

### ACT 134 REGULAR SESSION OF HAWAII 2021

**Report Title:** The Hawaii Department of Transportation (HDOT) and State Highway Safety Council (SHSC) Final Report on the Vision Zero Action Plan to Reduce Traffic Fatalities to Zero

**Description:** Requires HDOT and county transportation departments to adopt Vision Zero policies to prevent and eliminate traffic fatalities. Requires the SHSC, in consultation with the counties, to review traffic policies and recommendations to prevent traffic fatalities, develop an action plan, and report to the Legislature.

Attached herewith for the consideration is the SHSC's final report on a vision zero action plan to reduce traffic fatalities to zero.

#### **Introduction:**

On June 25, 2019, the Hawaii State Legislature passed Act 134, also known as the Vision Zero Act. Act 134 repurposes the State Highway Safety Council under HRS 286 to focus on developing an action plan to reduce traffic fatalities to zero. The action plan shall include but not be limited to:

- (1) Policies on how to reduce speeds on state and county roads;
- (2) Engineering recommendations on how to increase vehicular, pedestrian, and bicycle safety;
- (3) Data-driven enforcement recommendations on how to reduce speeding and operating a vehicle while under the influence of an intoxicant;
- (4) Additional steps that can be taken to eliminate vehicular, pedestrian, and bicycle fatalities on the road;
- (5) An implementation plan; and
- (6) Establishment of measures to track success.

#### State Highway Safety Council Process:

HDOT's Highway Safety Section assisted in coordinating travel for elected voting members of the SHSC. The SHSC was able to meet on August 15th 2019 and October 2<sup>nd</sup> 2019. The August 15th meeting focused on reviewing Act 134 and agreeing to the tasks outlined in the act and scheduling 2 meetings prior to the submission of the recommendations. The October 2nd meeting was dedicated to reviewing core concepts around Vision Zero, review of Hawaii traffic fatality and injury data (below), reviewing the draft recommendations from the Strategic Highway Safety Plan, and drafting recommendations under the categories of:

- 1) Reducing Speed Related Fatalities, Injuries and Crashes
- 2) Reducing Impaired Driving Related Fatalities, Injuries, and Crashes
- 3) Reducing Bicycle and Pedestrian Related Fatalities, Injuries, and crashes during the May 20, 2020 meeting which was held virtually due to the COVID-19 restrictions in accordance to the Governor's proclamation, the report was updated to clear up language in the recommendations. The final report draft was then reviewed and updated during the August 19, 2020, September 9, 2020 September 18, 2020 and September 28, 2020 virtual meetings. On October 9, 2020, the final draft that was reviewed became the report that was submitted to the Hawaii Department of Transportation for review and to be submitted to the Legislature per ACT 134's requirements.

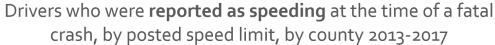
#### The Hawaii Traffic Fatality and Injury Data That Was Reviewed

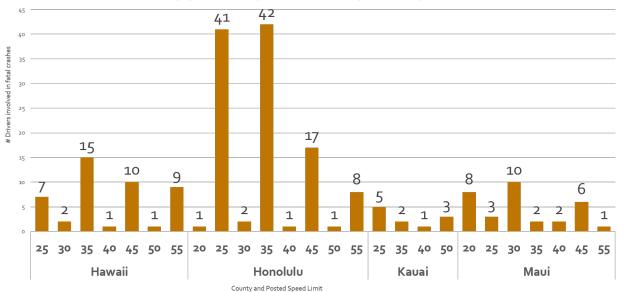
#### **Disclaimer:**

The following data and other information was presented as a PowerPoint presentation for the SHSC members and guests to review on October 2, 2019. It was the most current information at that time.

#### Speed Related Data:

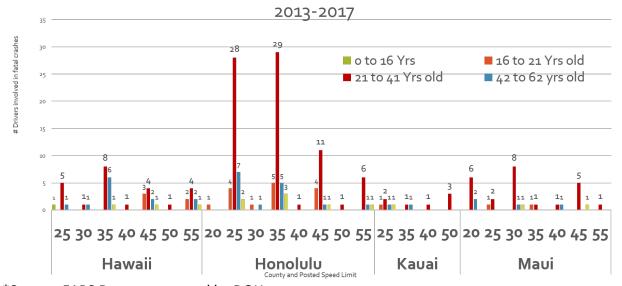
This data highlights factors related to crashes involving speed. The graphs look at major factors that overlap with the environment (posted speed limit and roadway type) and demographics (age, sex, previous convictions) of those likely to be speeding. Ideally, information can be used to help enforcement and design invest in areas where speeding needs to be managed. Information is presented using query data from the Fatality Analysis Reporting System (FARS), which is gleaned from crash reports submitted to the Hawaii Department of Transportation. Key elements selected from FARS are Person Type (Driver), Speeding, Posted Speed Limit, Age, County, Crash Hour, Sex, Previous Convictions, Years 2012-2016 where indicated and 2013-2017 where indicated, Critical Event Category, Driver status of drugs and or alcohol, Roadway Type and Restraint Use.





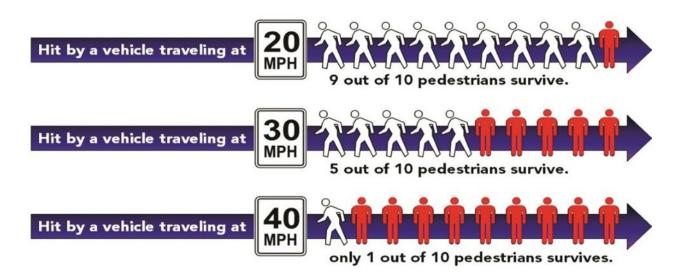
\*Source: FARS Data as prepared by Department of Health (DOH)

## Drivers who were **reported as speeding** at the time of a fatal crash, by speed posted speed limit and age group, by county



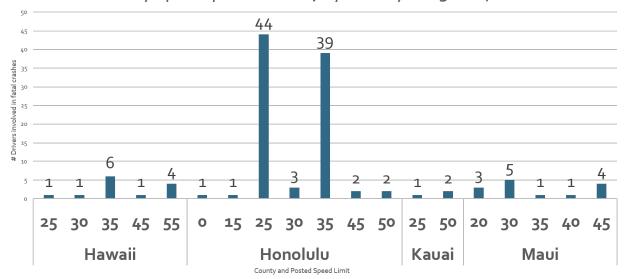
\*Source: FARS Data as prepared by DOH

Driver Speed and Impact on Pedestrians

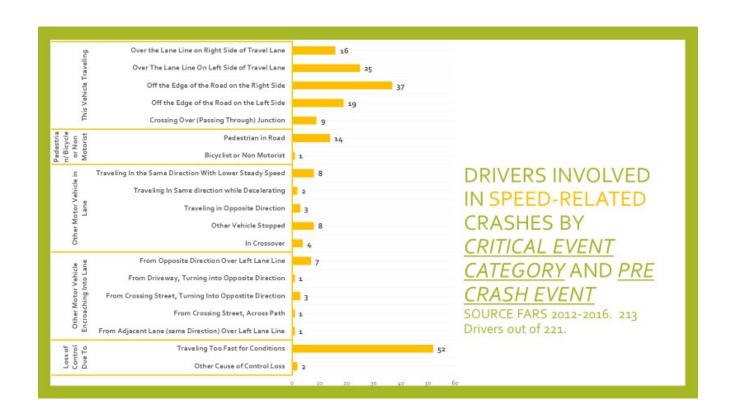


<sup>\*</sup>Source: FARS Data as prepared by DOH

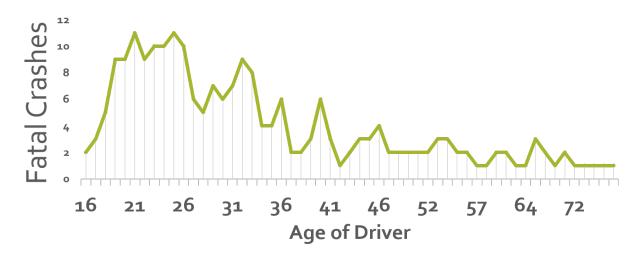
## Drivers who were in a fatal crash involving a **pedestrian**, by speed posted limit, by county 2013-2017

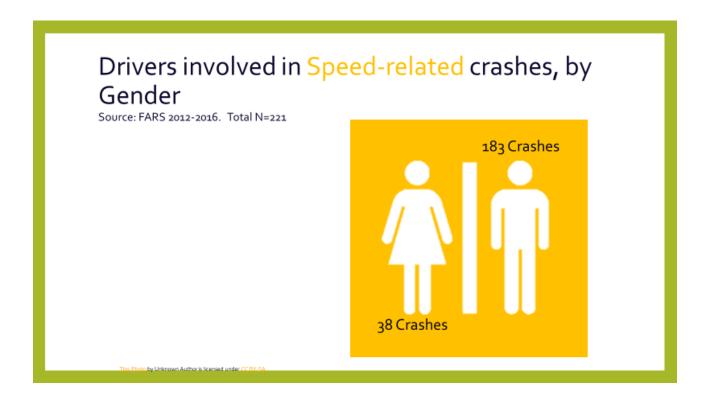


\*Source: FARS Data as prepared by DOH



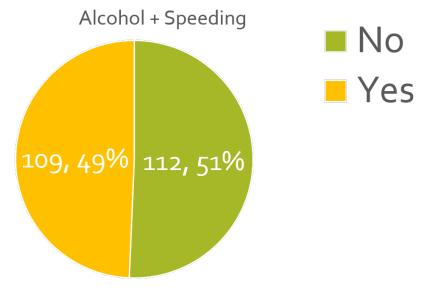
## Drivers involved in Speed-related crashes, by Age Source: FARS 2012-2016. Total N=221





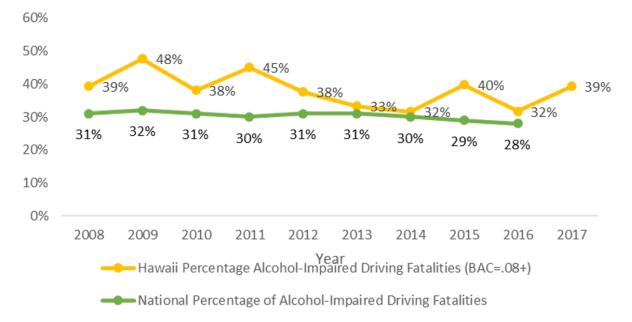
#### Impaired Driving Data

Drivers involved in Speed-related crashes; Police indicated alcohol Involvement with driver

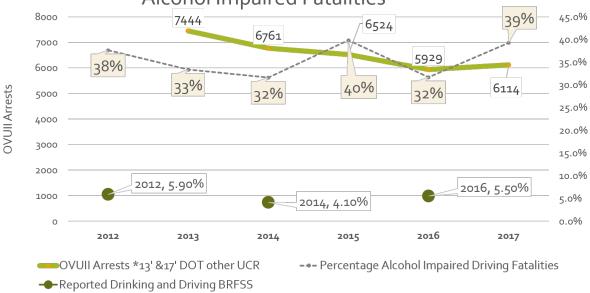


\*Source: FARS prepared by DOH

Hawaii is Above the National Average in Percentage of Alcohol-Impaired Driving Fatalities. Source, NHTSA and FARS 2008-2017

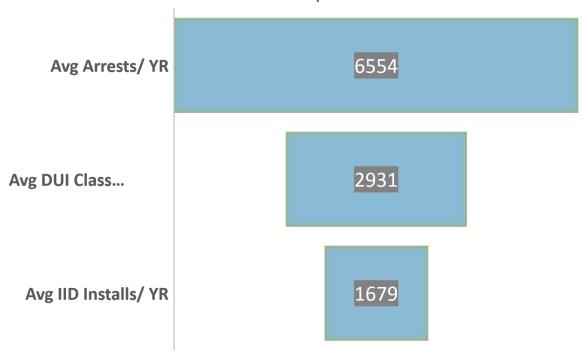


Arrests, Drinking and Driving and Percentage of Alcohol Impaired Fatalities



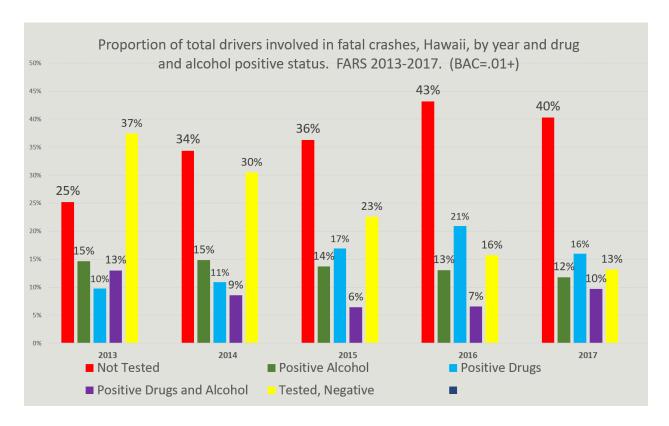
<sup>\*</sup>Source: FARS Data as prepared by DOH

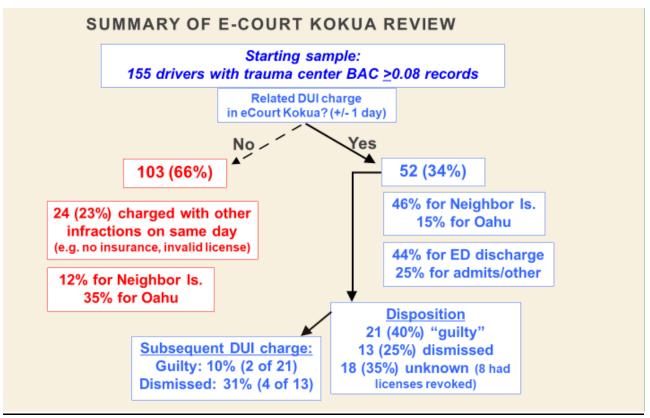
At a Glance: Annual Arrests to DUI Class Completions and Interlock Installs



<sup>\*</sup>Source: Ignition Interlock Data as prepared by DOH

May 2018 Journal of Trauma, Acute Care and Surgery: Motor vehicle crash fatalities and undercompensated care associated with legalization of marijuana. Since medical legalization in Hawaii, tetrahydrocannabinol (THC)-positive motor vehicle crashes have tripled statewide and THC-positivity among trauma patients (level II) has doubled. THC-positive patients are less likely to use protective devices. Finally, THC-positive patients are more likely to rely on publicly funded medical insurance.

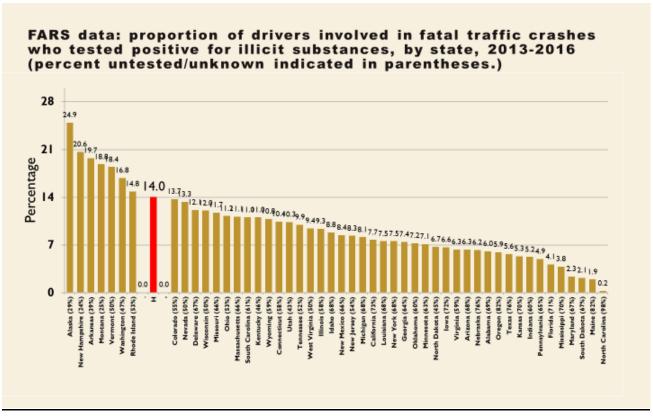




\*Source: e-Court Kokua/Hawaii Judiciary Review compiled by DOH

#### **Summary**

- Fourteen percent of all trauma patients positive for alcohol
  - 55% not tested, however
  - Testing varies by
    - Patient demographics and mechanism
    - Across facilities and within facilities over time
  - Motor vehicle drivers
    - 21% alcohol positive, 45% negative, 34% not tested
    - Untested drivers generally resemble alcohol negative drivers
- Only about 1 in 3 (34%) injured, intoxicated drivers are charged with DUI
  - Significantly higher for patients injured on Neighbor Islands (46%) than on Oahu (15%)
    - Accuracy of eCourt Kokua system?
  - Significantly higher for patients discharged from ED (44%) than those admitted/transferred (25%)
  - Nearly one-quarter (23%) of injured intoxicated drivers who were not charged with DUI were charged with other violations
    - 35% for those injured on Oahu, vs. 12% for Neighbor Islands



\*Source: FARS, National Highway Traffic Safety Administration (NHTSA)

#### **Equity-Based Data:**

Methods: Combined EMS data 2014-2018 and SocioNeeds Index 2019

SocioNeeds Index:

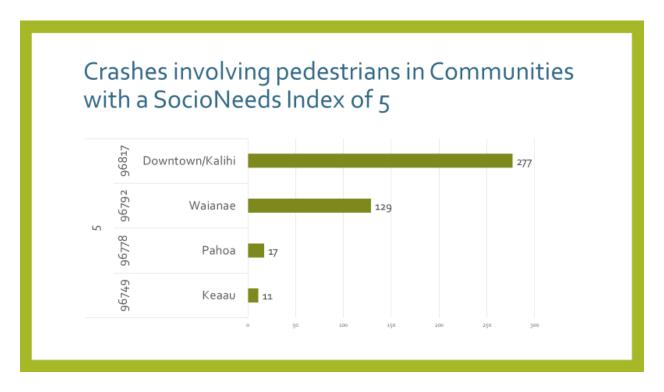
Communities, zip codes or counties with the highest index values are estimated to have the highest socioeconomic need. The index value for each location is compared to all other similar locations (i.e. counties compare to other counties and zip codes to other zip codes) within the comparison area to assign a relative rank (1-5). Zip codes are ranked using natural breaks classification, which groups the zip codes into clusters based on similar index values. The SocioNeeds Index is calculated for a community from 6 different social and economic factors, which include Language, Poverty, Income, Unemployment, Education, and Occupation, that may impact health or access to care. The index is correlated with potentially preventable hospitalization rates and is calculated using Claritas estimates for 2019.

EMS-attended crashes and Socio Needs Index Comparison:

SocioNeeds Index data provided a ranking of 1-5 by community zip code. The ranking and zip code were matched with zip code and zip code label (community or associated town). The SocioNeeds Index data has no value, weight or effect on the sum of crashes represented.

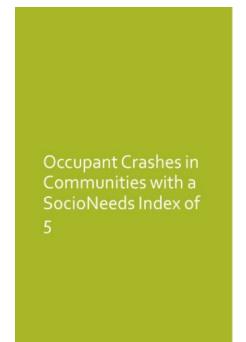
#### Purpose:

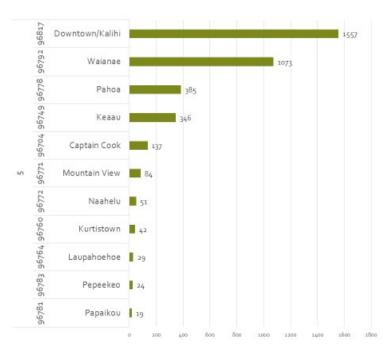
Data analysis provided to identifying communities with the greatest number of EMS-attended traffic crashes with a comparison to the same community's SocioNeeds Index score. EMS-attended crash comparison can help traffic safety and vision zero stakeholders use equity-based scale to help prioritize or traffic safety efforts.



\*Source: Combined EMS data 2014-2018 and SocioNeeds Index 2019 as compiled by DOH

\*Source: Combined EMS data 2014-2018 and SocioNeeds Index 2019 as compiled by DOH





<sup>\*</sup>Source: Combined EMS data 2014-2018 and SocioNeeds Index 2019 as compiled by DOH

### **Existing Policies:**

mplete Streets Act and County Policies Inerable Road Users Law (enhanced penalties for negligent ury or death of a pedestrian, bicyclist, road worker, etc.)
Inerable Road Users Law (enhanced penalties for negligent
t Safe Passing Law for Bicyclists eed Limit Law (new); provides states and counties to study d adjust posted speed limits based on pedestrian and bicycle tivity, crash history and adjacent development stracted driving law: penalties for hanced OVUII penalties for Neg Homicide. fe Routes to School Surcharge for Speeding in School Zones
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## **Existing Policies**

Area	Policy or Law
Impaired Driving	<ul> <li>Enhanced OVUII penalties for Neg Homicide.</li> <li>E-search warrants</li> <li>Ignition Interlock Program</li> <li>Enhanced penalties for 3<sup>rd</sup> offence w/in 10 years</li> <li>Mandated reporting</li> </ul>
Impaired Driving (what we do not have)	<ul> <li>Definition of drug impairment</li> <li>No refusals</li> <li>Probation</li> <li>Treatment or Interlock upon arrest</li> <li>High BAC penalties</li> <li>SR-22 insurance requirement</li> </ul>

#### The Recommendations

#### **Disclaimer:**

Pursuant to Act 134, these are recommendations collectively agreed to by the SHSC and not necessarily representative of positions of individual agencies nor the Hawaii Department of Transportation.

### Reducing Speed Related Fatalities, Injuries and Crashes RECOMMENDATIONS

#### **ENFORCEMENT**

- Prioritize speed enforcement in areas of high-risk crash corridors, fatalities and injuries based on analysis of available data.
- Attain legislative support and funding to implement automated speed and photo enforcement.
- 3. Examine and close loopholes for speed enforcement.

#### **ENGINEERING**

- 1. Allocate and provide adequate funding for speed management programs.
- 2. Redefine speeding: physical roadway changes or elements to queue driver to contextually appropriate speeds (e.g. if pedestrians and bicyclists are known to be present).

#### **EDUCATION**

- Create and fund speed management campaigns/prevention messages (such as using electronic message boards).
- Promote benefits and efficacy of speedreducing countermeasures to the public (such as raised crosswalks, roundabouts, rumble strips, and Rapid Flashing

#### **EQUITY/POLICY**

- Incorporate public input and equity data to prioritize safety disparities based both on geography and on social identity factors like age, gender, race, ability, educational attainment, housed status, and English proficiency of road users and create and implement policy solutions that correct these disparities.
- 2. Support context sensitive speed initiatives for counties (e.g. 20 miles per hour in relevant residential areas).

#### **EVALUATION**

- 1. Evaluate road safety design elements.
- 2. Evaluate data before and after improvements/changes are made.

## Reducing Impaired Driving Related Fatalities, Injuries and Crashes RECOMMENDATIONS

#### **ENFORCEMENT**

- 1. Continue to use and explore new objective measures/ equipment for roadside impairment testing.
- 2. Continue to fund and conduct sobriety checkpoints.
- Continue to fund and maintain or increase vertical prosecutor positions statewide. Vertical prosecution is defined as one deputy prosecutor handling the process from screening to trial.
- 4. Fund, implement, and conduct training. on E-warrants statewide.
- 5. Continue to fund and conduct Point of Sale compliance checks.
- 6. Establish and standardize State level liquor control policies and procedures.

#### **EDUCATION**

- 1. Develop Educate the Educators program
- 2. Develop youth-led social norming campaign
- 3. Fund training for schools, enforcement, and prosecutors on impaired driving.
- 4. Promote public transit availability for sporting and other major events
- 5. Fund and provide impairment recognition training for first responders such as EMS, EMT and fire departments on how to

#### POLICY AND ENVIRONMENT

- 1. Lower legal limit from .08 BAC to .05 BAC.
- Increase funding and support to improve and encourage buses and public transit use as a part of a "planning ahead" campaign.
- 3. Use revenues from liquor control to fund OVUII related initiatives.
- Increase the proportion of existing urbanized land to support the reduction of VMT in communities.
- Review data to establish guidelines for the locale in the proximity of establishments that serve and/or sell liquor.
- 6. Strengthen policies around ignition interlock program.

#### **PARTNERSHIPS AND INITIATIVES**

- 1. Develop MADD Hawaii and DOE partnership for a safety coordinator.
- Provide people and liquor providers resources like specialized bus service, ride share and other resources so that no one drives impaired.
- 3. Require larger warning label regarding driving on Rx bottles.
- Encourage business and shopping centers to allow impaired patrons to leave their vehicles overnight.

communicate or record impaired driving factors.

- 5. Develop partnerships such as Rideshare programs and live matching carpooling applications that pair people up so that they aren't driving home impaired (such as drunk, drugged, and/or drowsy).
- 6. Work with data collecting groups/agencies such as University of Hawaii for better data.

#### **EVALUATION**

1. Evaluate data before and after improvements/changes are made.

## Reducing Pedestrian and Bicycle Related Fatalities, Injuries and Crashes RECOMMENDATIONS

#### **ENGINEERING**

- Evaluate and implement context-sensitive speeds (CSS) that consider adjacent land use and population to decrease fatalities and serious injuries
- Increase funding to expand, improve, and maintain state and local pedestrian and bicycle facilities and networks.
- Continue to prioritize safety improvements for children walking and bicycling to school (within 3 miles of a school).
- Continue to prioritize safety improvements to high injury/crash/fatality locations

#### ENFORCEMENT

- See recommendations under reducing speed related and impaired related fatalities, injuries and crashes such as Prioritize speed enforcement in areas of high-risk crash corridors, fatalities and injuries based on analysis of available data.
- 2. Enforce pedestrian and bicycle laws for all roadway users based on data.

#### **EDUCATION**

- Improve safety for children walking and bicycling to school such as further incorporate pedestrian and bicycle safety education into the schools.
- 2. Re-evaluate reinstating a written test when renewing driver's license as a chance to educate on the new laws.
- Continue to create and fund driver awareness of pedestrian and bicyclist messages

#### **EQUITY/POLICY**

- Prioritize and Implement Complete Streets, Vision Zero and other policies and programs to increase safety for all modes of transportation by;
  - Including recommendation to review existing policies, laws, procedures to update and strengthen
  - b. Including all stakeholders
  - c. Re-evaluating road standards (design) (Level of Service: LOS)
  - d. Crash + equity use criteria= score
- Increase the proportion of existing urbanized land to support the reduction of VMT in communities for a safe walkable environment.

#### **EVALUATIONS**

- 1. Prioritize project implementation based on data-driven problem identification (location, time of day, crash type), goals, objectives and evaluation.
- 2. Prioritize data collection for pedestrian and bicycle crashes, injuries and fatalities which include but not limited to purchasing pedestrian and bicycle counters to improve the collection of pedestrian and bicycle activities.

Policy recommendations to the legislature regarding speed related crashes, injuries and fatalities:

- 1. Enact laws to allow automated speed enforcement
- Increase penalties such as higher fees and confiscation for 'Excessive speed' and for repeat violations.

Policy recommendations to the legislature regarding impaired driving related crashes, injuries and fatalities:

- 1. Lower legal per se limit from .08 BAC to .05 BAC
- 2. Use revenues from liquor control to fund OVUII related initiatives.
- 3. Require larger warning labels regarding driving on Pharmaceutical Rx bottles.

Policy recommendations to the legislature regarding pedestrian and bicycle related crashes, injuries and fatalities:

- 1. Require and fund mandatory written test when renewing driver's license and a chance to educate on the new laws.
- 2. Require and fund pedestrian and bicycle safety education in schools from kindergarten through high school.
- 3. Expand funding for bicycle and pedestrian infrastructure projects.

Establishment of measures to track success will be to review each county Vision Zero plans to evaluate success as a State.

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Appendix A: List of State Highway Safety Council (SHSC) Members and Guests
SHSC Members:
Department of Transportation
       Karen Kahikina (Designee)
Department of Health
       Kari Benes (Former Designee)
Department of Education
       Janice Meeker-Sevilla (Designee)
Chief Justice
       Brook Mamizuka (Designee)
       Jackie Murai (Former Designee)
Attorney General
       Patsy Takemura (Designee)
       Reuel Toyama (Alternate Designee)
County Representatives
       Oahu
               Mark Kikuchi (Department of Transportation Services (DTS); Oahu Traffic Safety Council)
               Kelly Akasaki (Alternate DTS Oahu Traffic Safety Council)
               John Goody (At-Large)
               Chad Taniguchi (At-Large)
               Dr. Karen Tessier (At-Large)
               Darren Izumo (Former At-Large)
               Jeen Kwak (Former At-Large)
               Dana Teramoto (Former DTS; Oahu Traffic Safety Council)
       Maui
               Charles Hirata (At-Large)
               Byron Fujieda (At-Large)
               Derek Ono (Maui Traffic Safety Council)
       Hawaii
               Ken Obenski (Hawaii Traffic Council)
               Mitch Roth (Former At Large; Hawaii County Vision Zero)
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Kauai

Tommy Noyes (At-Large) Ramsey Ross (At-Large)

Sgt. Vernon Scribner (At-Large)

#### Justin Kollar (Former At-Large)

#### **Invited Guests:**

The SHSC must comply with the Sunshine Law which allows the council to invite guests and public as non-voting participants. While votes are reserved for the SHSC voting members, the SHSC included members from the community and other vision zero task forces.

#### **County Police Departments**

#### Honolulu:

Major Calvin Tong

Acting Major Stephan Silva

Sgt. Gabriel Kira

Sgt. Dana Souza

Lt. Io Keehu

#### Hawaii Department of Transportation (HDOT)

Ed Sniffen

Lee Nagano

Lianne Yamamoto

**Robert Lung** 

**Christy Cowser** 

Diane Dohm

Mung Chung

Jan Higaki

#### Honolulu Department of Transportation Services (DTS)

Daniel Alexander (Oahu Vision Zero Coordinator)

#### Department of Health

Christopher 'CJ' Johnson

Heidi Hansen-Smith

#### Metropolitan Planning Organization (MPO)

Kiana Otsuka (Oahu MPO)

Lauren Armstrong (Maui MPO and Maui Vision Zero Task Force Member)

#### **FHWA**

Richelle Takara

Wayne Kaneshiro

#### Blue Zone Project

Peggy Mierzwa

#### **Appendix B: ACT 134**

SECTION 1. The legislature finds that traffic-related fatalities are on the rise nationwide. Each year, an average of more than forty thousand people are killed in the United States in vehicle crashes. In Hawaii, forty-five per cent of the fatal crashes in the State were speed-related in 2016, ranking the State as the fifth highest in the nation for proportion of speed-related fatal crashes. A majority of the speed-related fatalities occur on state roadways. Additionally, nearly forty per cent of driving fatalities in Hawaii are alcohol-related, which is above the national average. In 2018, a record number of forty-three pedestrian fatalities were documented in Hawaii, reflecting a dramatic increase from fifteen in 2017.

The legislature finds that many tragedies can be prevented by taking a proactive, preventive approach that prioritizes traffic safety. Vision Zero, also known as target zero in some states, is a movement that seeks to prevent and ultimately eliminate all traffic-related fatalities. The Vision Zero approach recognizes that individuals will sometimes make mistakes, so communities should implement policies and design roads that slow down vehicles in order to give pedestrians and bicyclists safe alternatives and to reduce the chance that a human mistake will lead to a fatality.

The National Complete Streets Coalition endorses a Vision Zero approach in pursuit of the objective to design streets that prevent traffic injuries and fatalities, particularly for the most vulnerable road users. Over one thousand two hundred jurisdictions in the United States have, through an adoption of Complete Streets policies, committed to design and operate their streets to provide for the needs of all users of the road, regardless of age, ability, income, or mode of transportation. Vision Zero strategies can be easily integrated into existing Complete Streets programs.

The legislature passed Act 54, Session Laws of Hawaii 2009, which requires the State's and all counties' departments of transportation to adopt a complete streets policy that reasonably accommodates convenient access and mobility for all users of the public highways. It also established a temporary task force to review existing state and county design standards and guidelines. The city and county of Honolulu further adopted its Complete Streets policy ordinance in 2012. In 2018, the mayor of Maui presented a Vision Zero proclamation in honor of a cyclist who was struck and killed on the shoulder of the Piilani highway. Maui continues to invest in its Complete Streets program with local organizations partnering with the county to carry forward its Vision Zero initiative.

The legislature finds that the State and counties must collaborate to provide safe roads, as many fatalities occur on state highways. Hawaii should adopt its own Vision Zero policy to prevent and ultimately eliminate all traffic fatalities through a combination of engineering, enforcement, education, and emergency response strategies to focus on equity.

SECTION 2. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§286- Vision Zero. The department of transportation and the county transportation departments shall adopt a Vision Zero policy that seeks to prevent and ultimately eliminate all traffic fatalities

through a combination of engineering, enforcement, education, and emergency response strategies that focus on equity."

- SECTION 3. (a) The state highway safety council, in collaboration with each of the county traffic or highway safety councils, shall develop an action plan to reduce traffic fatalities to zero. The action plan shall include but not be limited to:
  - (1) Policies on how to reduce speeds on state and county roads;
  - (2) Engineering recommendations on how to increase vehicular, pedestrian, and bicycle safety;
- (3) Data-driven enforcement recommendations on how to reduce speeding and operating a vehicle while under the influence of an intoxicant;
- (4) Additional steps that can be taken to eliminate vehicular, pedestrian, and bicycle fatalities on the road;
  - (5) An implementation plan; and
  - (6) Establishment of measures to track success.
- (b) The department of transportation shall prepare and submit a report of findings based on the state highway safety council's efforts to the appropriate policy and fiscal committees of the legislature on or before January 1, 2020.
  - (c) The state highway safety council shall submit to the legislature the following:
- (1) An interim progress report no later than twenty days prior to the convening of the regular session of 2020; and
- (2) A final report, including the state highway safety council's action plan detailing its findings, recommendations, and proposed legislation, no later than twenty days prior to the convening of the regular session of 2021.
  - SECTION 4. New statutory material is underscored.
- SECTION 5. This Act shall take effect upon its approval; provided that section 2 shall apply to any development for which planning or design commences on or after January 1, 2020.

Re	port	Tit	le:

Vison Zero; Roads and Highways; Appropriation

#### Description:

Requires HDOT and county transportation departments to adopt Vision Zero policies to prevent and eliminate traffic fatalities. Requires the State Highway Safety Council, in consultation with the counties, to review traffic policies and recommendations to prevent traffic fatalities, develop an action plan, and report to the Legislature.