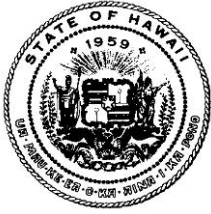


TRANSPORTATION COMMITTEE 11/15/24

LIST OF BOARD PACKET DOCUMENTS

1. Transportation Committee Agenda November 15, 2024
2. Transportation Committee Draft Minutes of September 24, 2024.
3. Kauai County Press release – Free Bus service on election day
4. Response from State Department of Transportation regarding the Kahaluu roundabout.
5. National Highway Traffic Safety Administration Proposed Rule – Federal Motor Vehicle Safety Standards: Pedestrian Head Protection, Global Technical Regulation No. 9; Incorporation by Reference – Page 2.
6. National Public Radio Article – Jaywalking Legalized in New York City
7. Response from State Department of Transportation regarding the people arriving in Hawaii with a service animal and the drivers license procedure for applicants with a disability.
8. Email regarding a lack of accessible vehicle to rent by visitors to Hawaii.
9. Emails regarding accessibility at Kauai Car rental facility.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

NOTICE OF MEETING

Disability and Communication Access Board

Standing Committee on Transportation Meeting

November 15, 2024
12:00 p.m.

AGENDA

The Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

Public In-Person Meeting Location

Kamamalu Building
1010 Richards Street, Room 118
Honolulu, Hawaii 96813

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:

<https://us02web.zoom.us/j/85328116909>

and enter Meeting ID: 853 2811 6909.

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 853 2811 6909.

Public Testimony

Oral testimony - Testimony or comments presented by members of the public during Committee meetings shall be limited to three minutes per agenda item. In compliance with the Americans with Disabilities Act, a reasonable amount of additional time shall be afforded to persons with a communication disability to present testimony or comments, if needed. Any person who needs additional time to present testimony or comments is encouraged to contact the DCAB office in advance of the meeting. This rule shall be placed at the beginning of all Committee meeting agendas. Members of the public may present comment or testimony during Committee meetings on each agenda item. Public comment or testimony, if any, shall be presented on each agenda item before the Committee deliberates on the item. After all public comment or testimony is presented, the Committee shall deliberate on the agenda item without further comment or testimony from the public unless further public comment or testimony is requested by the Committee.

Written Testimony - To ensure the public as well as Committee members are able to review testimony prior to the meeting, we request written testimony be submitted 48 hours prior to the scheduled meeting date and time.

- By email to: dcab@doh.hawaii.gov
- By U.S. Postal Mail:
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street,
Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

AGENDA

- I. Call to Order
Review Remote Meeting Procedures
 - This meeting is being recorded.
 - A quorum of Committee members is required to be visible on screen.
 - Raise hand to speak unless called upon.
 - Identify yourself before speaking.
- II. Roll Call/Introductions
- III. Written Public Testimonies Submitted - Review
- IV. Approval of Meeting Minutes of September 24, 2024
- V. Old Business
 - A. Standing Agenda Items
 1. Public Transit and Paratransit
 - a. City and County of Honolulu's low income rate for paratransit.
 - b. City and County of Honolulu's Taxi Voucher Program.
 - c. Proposal for the City and County of Honolulu to establish a second base yard for the HandiVan in Central or West Oahu.
 - d. Kauai County Press Release - [Free Bus and Paratransit on Election Day.](#)
 2. Streets and Highways
 - a. [Kahaluu Roundabout](#) - Responses from Department of Transportation
 - b. National Highway Traffic Safety Administration Proposed Rule – [Federal Motor Vehicle Safety Standards: Pedestrian Head Protection, Global Technical Regulation No. 9; Incorporation by Reference.](#)
 3. Pedestrian Mobility and Built Environment
 - a. [New York City Legalizes Jaywalking](#)
 4. Air Transportation/Airports
 - a. Procedure for the Inspection of Service Animals Upon Out of State Arrival at Daniel K. Inouye International Airport.
 - b. Airport Accessibility Advisory Committee

- c. Availability of Accessible vehicles for rent by visitors
 - d. Concern with Rental Car Passenger Shuttle – Lihue Airport
- 5. Water Transportation and Harbors – No Updates
 - 6. Update from Standing Committee on Parking
 - a. Meeting with enforcement agencies/Volunteer Special Enforcement Officer (VSEO) programs.
- VI. Open Forum: Public comment on issues not on the agenda for consideration on a future Committee agenda.
- VII. Next Meeting
- VIII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact Cindy Omura at (808) 586-8121 or dcab@doh.hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

The agenda and meeting materials for this meeting are available for inspection at the DCAB office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on the DCAB website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

DRAFT MINUTES

Standing Committee on Transportation Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118

Date: September 24, 2024

Time: 11:25 a.m.

PRESENT: Violet Horvath, Chairperson; Gerald Ohta, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Bryan Mick, Elizabeth Pearson, Sue Radcliffe, Staff

ABSENT: Teri Spinola-Campbell, Board Member

GUEST: Alberto Perez

- I. Chairperson Violet Horvath called the meeting to order at 11:25 a.m.
- II. Committee members, staff, and the guest introduced themselves.
- III. Chairperson Violet Horvath reported no written public testimony was submitted.
- IV. The Committee approved the July 10, 2024, meeting minutes (M/S/P Townsend/Horvath).
- V. Unfinished Business

A. Standing Agenda Items

Public Transit and Paratransit

Bryan Mick reported that the City and County of Honolulu's Department of Transportation Services (DTS) Committee on Accessible Transportation and the Honolulu Rate Commission will be meeting in October. The Disability and Communication Access Board (DCAB) will ask for an update on the low income fare for paratransit and the proposal for a pilot taxi voucher program at those meetings.

Bryan Mick reported that the Honolulu Fire Department (HFD) had supplied details about a person who uses a wheelchair and was dropped curbside by a private transportation company. The individual would call 911 for assistance in getting into the residence. The same individual has called six (6) times this year. At that frequency, it would not appear to be a threat to HFD's operations, but it does highlight the lack of accessibility

in the built environment and private property, and the need to increase public awareness of programs which provide door to door service. There was a bill considered by the Legislature last session which may be reintroduced, it would provide grants for people to make accessibility modifications to their homes.

Bryan Mick reported that the Board packet included a consultant's recommendation to DTS that a second base yard for paratransit vehicles should be established in West Oahu. The existing base yard is almost at capacity preventing any fleet expansion, and a second base yard would cut down on the travel time vehicles must make at the start and end of their runs. Committee member Charlotte Townsend commented that at one point there were five (5) sites in West Oahu under consideration for a second base yard. She is not sure if DTS is still pursuing the establishment of a second base yard.

Bryan Mick circulated a press release from Kauai County inviting non-profit organizations to apply for their low income transit fare program. The program's fund can be used to provide bus passes or paratransit ride coupons to eligible residents. Committee Chairperson Violet Horvath commented that Maui County has a similar program. Bryan Mick responded that the City and County of Honolulu has a low income fare that a person can apply for directly but this is not well publicized.

Bryan Mick circulated an article from Midweek highlighting Catholic Charities Transportation for Kupunas (TFK) program and provided were additional details from TFK. The program is currently only on Oahu and volunteers can serve as chaperones or as drivers. None of the volunteers have accessible vehicles.

Bryan Mick shared information from the University of Hawaii at Manoa (UH) regarding their pilot project of an autonomous electric student shuttle. The vehicle has a space for a wheelchair, but as the vehicle tends to stop and start suddenly and UH worries it might be dangerous for a wheelchair user. Staff will monitor and advocate if the shuttle is implemented as a regular service that it must use an accessible vehicle.

Streets and Highways

Bryan Mick reported after great difficulty, he was able to obtain contact information for a person at the State Department of Transportation (DOT) who could respond to the Committee's questions and comments about the Kahaluu roundabout. Those had been compiled, but this was a chance for additional comments to be included. There were no further comments for DOT. Committee member Charlotte Townsend commented the project was at least fifty percent (50%) completed as of a few weeks ago.

Bryan Mick reported that at the last meeting, a bill was discussed which proposed to repeal the fines for jaywalking. The Legislature did not pass

it, but it is possible it will be reintroduced. The report that was used as justification for the bill details how historically streets were designed for many types of users, and when cars were introduced, the public blamed them for collisions. However, the auto industry made a concerted effort to get jaywalking laws adopted and to change public sentiment so that streets were primarily thought of for vehicular travel. In some ways Complete Streets is an attempt to go back to the original approach of designing streets. However, the fact that vehicles are faster and heavier these days needs to be considered when considering jaywalking laws.

Air Transportation and Airports

Bryan Mick mentioned that staff had received a concern about the procedure at Daniel K. Inouye International Airport to inspect a service animal arriving from out of state. Pre-COVID, a person could request the inspection occur at the gate. This was very important for someone with a mobility disability who otherwise would have to travel a far distance to the inspection station. Additionally, the accessible route from the inspection station to the baggage claim is poorly marked. The Hawaii Department of Agriculture responded to an inquiry that staffing shortages are the reason gate inspections were ended, but someone could still request one as a reasonable modification though they did not guarantee staffing levels would allow it to be provided. The Committee commented that the procedure for arriving with a service animal should not be onerous, and asked staff to follow up with the Department of Transportation about improving the route from the inspection station to baggage claim. This issue is a good example of how an Airport Accessibility Advisory Committee could bring together various entities that operate at the airport. Committee Chairperson Violet Horvath mentioned that terminal one was designed horribly, the bag check in and the Transportation Security Administration (TSA) checkpoint are on opposite ends.

Update from Standing Committee on Parking

Bryan Mick reported DCAB staff met with the State Department of Land and Natural Resources as they have enforcement officers who travel around the State as part of their job duties. They agreed to help enforce accessible parking not only on the properties they patrol, but at other ADA Titles II or III properties if violation is witnessed. Staff is also trying to meet with the Honolulu Chief of Police to stress the importance of the Volunteer Special Enforcement Officer program.

VI. The next meeting will be Friday, November 15, 2024, at 12:00 p.m.

VII. The meeting adjourned at 12:20 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

BRYAN K. MICK

The Kaua'i Bus announces free bus service on Election Day, Nov. 5

Published on October 21, 2024



Transportation Agency News Release

The Kaua'i Bus announces there will be free bus service islandwide on Election Day, Nov. 5.

Both fixed routes and ADA paratransit service will be free to all passengers on Nov. 5, to all destinations the Kaua'i Bus services. This initiative is in line with national efforts to make transportation more accessible on election days, helping to ensure that everyone has the opportunity to vote without transportation barriers.

"Passengers across the island can take advantage of the free service throughout the day, whether traveling to polling stations or for other essential trips," said Transportation Agency Executive Celia Mahikoa. "We

encourage all residents to take part in the election process and utilize the Kaua'i Bus for a safe and accessible ride to the polls.”

To view all bus schedules, visit www.kauai.gov/BusSchedules. For more information on The Kaua'i Bus, call 808-246-8110, visit the Transportation Agency's website at www.kauai.gov/transportation, or visit The Kaua'i Bus Facebook page at www.facebook.com/thekauaibus.

For more information on the 2024 General Election and voting, visit kauaivotes.com or contact the Office of the County Clerk, Elections Division at (808) 241-4800.

###

From: [Hirano, Andrew J](#)
To: [Mick, Bryan K](#)
Cc: [Joseph Salvador \(WSP\)](#); [Andrade, Gerald D.](#)
Subject: RE: Can you direct me to a good point of contact for the Kahaluu roundabout project
Date: Wednesday, October 9, 2024 10:18:27 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Bryan,

The red text below is our responses to the questions you provided. I'll give you a call later. Let me know if there are any more concerns and I can set up a conference call with us and the design consultant.

Thanks,
Andy Hirano
Project Manager
State of Hawaii, Dept of Transportation
Highways Division, Design Branch
Technical Design Section (HWY-DS)
email: andrew.j.hirano@hawaii.gov
Tel: (808) 692-7546

From: Salvador, Joseph <Joseph.Salvador@wsp.com>
Sent: Monday, October 7, 2024 12:57 PM
To: Hirano, Andrew J <andrew.j.hirano@hawaii.gov>; Andrade, Gerald D. <Gerald.Andrade@wsp.com>
Subject: [EXTERNAL] RE: Can you direct me to a good point of contact for the Kahaluu roundabout project

Hi Andy,

As discussed in our call, please see responses below for your review and comment. We can discuss further and revise as needed prior to sending to Bryan.

1. What features are there for pedestrians with vision impairments? Are there audible beacons?
HDOT intends to integrate audible beacons at crossing locations with Rectangular Rapid Flashing Beacons (RRFB) to enhance pedestrian safety.
2. Are there any tactile features to indicate the accessible pedestrian route?
Sidewalks along the perimeter of the roundabout will have grassed strips adjacent to the sidewalks. Ramps will have detectable warning strips.
3. What signs will be posted?
Pedestrian crossings will be marked with ped crossing signs per the Manual on Uniform Traffic Control Devices. All crosswalks will have RRFBs installed.

4. Are there any crossing signals? If so, can you confirm they conform with ADA standards for height and push force?

RRFB systems will have audible buttons that will comply with ADA standards.

5. Is there adequate lighting?

Yes, a lighting study was performed and intersection lighting will meet lighting standards.

6. How wide is the pedestrian crossing route?

Curb ramps are 6 feet wide, crosswalk striping is 10 feet wide. Each crossing crosses a single lane and there will be median refuge.

7. What is the speed limit for a vehicle traveling thru the roundabout?

Similar to the temporary traffic control currently being implemented during construction whereby partial usage of the roundabout is in place, vehicles will be regulated to 25mph. 25mph speed limit sign placards can be added to the roundabout ahead advance signage on the approaches.

8. Is there a standard design for all roundabouts in Hawaii? Example, do some include trees or shrubs in them or are they all concrete?

Roundabouts on HDOT roadways are designed using national guidelines. Depending upon site conditions, roundabouts can have landscaping within median areas. When medians are landscaped the general design approach is to limit vegetation height to maintain sight lines for safety.

9. If there are trees or shrubs at this one, who is responsible for the maintenance of them? It is important they do not become overgrown and interfere with lines of sight for drivers or pedestrians.

HDOT will maintain any landscaping within the roundabout. Plant selection will include consideration for maximum growth height to ensure visibility is maintained.

10. Are emergency vehicles able to easily go thru this roundabout?

Yes, turning analysis was done during design to ensure passage of emergency vehicles.

11. Do you have any statistics for how many roundabouts there are statewide, and how many are currently proposed?

Statistics are not available at this time.

Thanks,
Joe



Joseph Salvador
Civil Engineer

T+ 1 808-566-2249

From: Mick, Bryan K <Bryan.Mick@doh.hawaii.gov>
Sent: Friday, September 27, 2024 4:26 PM
To: Andrade, Gerald D. <Gerald.Andrade@wsp.com>; Hirano, Andrew J <andrew.j.hirano@hawaii.gov>
Cc: Salvador, Joseph <Joseph.Salvador@wsp.com>
Subject: RE: Can you direct me to a good point of contact for the Kahaluu roundabout project

Aloha,

Here are the questions and comments:

1. What features are there for pedestrians with vision impairments? Are there audible beacons?
2. Are there any tactile features to indicate the accessible pedestrian route?
3. What signs will be posted?
4. Are there any crossing signals? If so, can you confirm they conform with ADA standards for height and push force?
5. Is there adequate lighting?
6. How wide is the pedestrian crossing route?
7. What is the speed limit for a vehicle traveling thru the roundabout?
8. Is there a standard design for all roundabouts in Hawaii? Example, do some include trees or shrubs in them or are they all concrete?
9. If there are trees or shrubs at this one, who is responsible for the maintenance of them? It is important they do not become overgrown and interfere with lines of sight for drivers or pedestrians.
10. Are emergency vehicles able to easily go thru this roundabout?
11. Do you have any statistics for how many roundabouts there are statewide, and how many are currently proposed?

Thanks!!

Bryan K. Mick

Coordinator, Program & Policy Development
Disability and Communication Access Board
1010 Richards Street #118
Honolulu, HI 96813
Office: (808) 586-8131
<https://health.hawaii.gov/dcab/>

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or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender immediately in a separate e-mail and destroy the original message and any copies.

From: Mick, Bryan K
Sent: Wednesday, September 18, 2024 8:46 AM
To: 'Andrade, Gerald' <Gerald.Andrade@wsp.com>; Hirano, Andrew J <andrew.j.hirano@hawaii.gov>
Cc: 'Salvador, Joseph' <Joseph.Salvador@wsp.com>
Subject: RE: Can you direct me to a good point of contact for the Kahaluu roundabout project

Hi everyone,

Sorry, I meant to email you last week, but our Transportation Committee meeting got rescheduled to 9/24. So I will hopefully have a list of questions and comments for you next week.

Thanks,

Bryan K. Mick
Coordinator, Program & Policy Development
Disability and Communication Access Board
1010 Richards Street #118
Honolulu, HI 96813
Office: (808) 586-8131
<https://health.hawaii.gov/dcab/>

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From: Mick, Bryan K
Sent: Tuesday, September 10, 2024 10:45 AM
To: Andrade, Gerald <Gerald.Andrade@wsp.com>
Cc: Hirano, Andrew J <andrew.j.hirano@hawaii.gov>; Salvador, Joseph <Joseph.Salvador@wsp.com>
Subject: RE: Can you direct me to a good point of contact for the Kahaluu roundabout project

Aloha!

Thank you for reaching out. We have a standing committee on transportation; at our last meeting they had expressed concerns with roundabouts in general and their safety and usability for people with various disabilities. Someone mentioned this specific project was nearing completion, so we thought it would be informative to try and find out what features might have been incorporated into the design. I think we have identified three user types in particular:

1. People with visions impairments
2. People with hearing impairments

3. People who use mobility devices.

I think the concerns is twofold, one their path of travel and two their visibility to drivers, especially people who are closer to the ground such as those on mobility devices.

As it turns out the committee is meeting this Friday, so I am thinking the best thing would be to ask the members and attendees if they have any specific questions to pass along to you? If they have any, I will email them to you next week.

Thanks,

Bryan K. Mick

Coordinator, Program & Policy Development
Disability and Communication Access Board
1010 Richards Street #118
Honolulu, HI 96813

Office: (808) 586-8131

<https://health.hawaii.gov/dcab/>

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From: Andrade, Gerald <Gerald.Andrade@wsp.com>

Sent: Tuesday, September 10, 2024 9:18 AM

To: Mick, Bryan K <Bryan.Mick@doh.hawaii.gov>

Cc: Hirano, Andrew J <andrew.j.hirano@hawaii.gov>; Salvador, Joseph <Joseph.Salvador@wsp.com>

Subject: [EXTERNAL] FW: Can you direct me to a good point of contact for the Kahaluu roundabout project

Aloha Bryan,

Please let me know what a good time would be to set up a Teams call to go over any questions the board may have about the project (DCAB Job No. 2021-01469) or please don't hesitate to send questions/concerns our way and we can answer them via email if that is preferred.

I have availability today and Thursday both in the AM and afternoon.

Thank you!



Gerald Andrade

Project Manager / Vice President, Civil Engineering

T+ 1 808-566-2243

From: Mick, Bryan K <Bryan.Mick@doh.hawaii.gov>
Sent: Friday, September 6, 2024 1:04 PM
To: Miranda-Johnson, Melissa K <Melissa.K.Miranda-Johnson@hawaii.gov>
Subject: Can you direct me to a good point of contact for the Kahaluu roundabout project

Hi,

Sorry to bother you but every number and email I have tried has not resulted in a response (project hotline, project manager, company's general email and phone#, etc.)

<https://hidot.hawaii.gov/administration/modifications-to-kahalu%CA%BBu-roundabout-project/>
<https://kahekilroundabout.com/>

Our board had a few questions about the accessibility features of the new roundabout. Anyone you can connect me with would be great.

Thanks,

Bryan K. Mick
Coordinator, Program & Policy Development
Disability and Communication Access Board
1010 Richards Street #118
Honolulu, HI 96813
Office: (808) 586-8131
<https://health.hawaii.gov/dcab/>

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NPRM advances NHTSA's objective of adopting a motor vehicle crashworthiness safety standard to ensure that passenger vehicles are designed to mitigate the risk of serious to fatal child and adult pedestrian head injury.

This NPRM is part of a multi-step approach to enhance vehicle performance against pedestrian injury. First, it initiates the process of adopting Global Technical Regulation No. 9 (GTR 9), "Pedestrian safety," into the Federal safety standards. NHTSA has collaborated with governments internationally to develop GTR 9, and numerous countries have adopted the GTR into their regulations. FMVSS No. 228 would establish a pedestrian standard domestically, to ensure that all vehicles with a GVWR of 4,536 kg (10,000 lb.) or less manufactured in or imported into the United States—including a sub-group of light trucks (large pickups and large SUVs) more common in the U.S. than in other parts of the world—mitigate the risk of serious head injury to pedestrians.

Second, the standard would provide a regulatory counterpart to NHTSA's planned crashworthiness pedestrian protection testing program in the New Car Assessment Program (NCAP) in the near term.² On May 26, 2023, NHTSA published an NCAP Request for Comment (NCAP RFC) proposing to adopt a crashworthiness pedestrian protection program into NHTSA's NCAP.³ NCAP would build on proposed FMVSS No. 228 and incorporate enhanced crashworthiness tests into NCAP that go beyond the specifications of proposed FMVSS No. 228. NCAP remains a consumer information program that provides consumers with vehicle safety information for their purchasing decisions. Providing this information encourages manufacturers to voluntarily make changes to vehicles that reflect positively in the NCAP safety information and thereby improves safety through the marketplace. FMVSSs, on the other hand, are mandatory and mandate at least a minimum level of safety that all new vehicles *must* provide to every purchaser. NHTSA has observed that, in

the case of both electronic stability control and rear visibility cameras, only approximately 70 percent of vehicles had these technologies during the time they were part of NCAP. Thus, while NCAP serves a vital safety purpose, NHTSA also recognizes its limitations in ensuring that every vehicle provides the performance necessary to provide the requisite level of safety to all purchasers. Because only an FMVSS can ensure that all vehicles are equipped with technologies and vehicle designs that meet the specified performance requirements, NCAP can supplement but not substitute for the FMVSS. The FMVSS remains NHTSA's core way of ensuring that all motor vehicles provide the requisite level of safety performance, and provide it within a practicable timeframe. Although the NCAP program provides valuable safety-related information to consumers in a simple and easy-to-understand manner, the agency believes that the proposed rule is necessary to achieve the highest level of pedestrian safety feasible and at the fastest achievable timeframe based on the performance requirements and lead time specified in the proposed rule. Additional discussion on the NCAP RFC is provided later in this preamble.

Third, this rulemaking proposing FMVSS No. 228 is intended to work hand-in-hand with the growth and expansion of automatic emergency braking (AEB) technologies. An AEB system uses various sensor technologies and sub-systems that work together to detect when the vehicle is in a crash imminent situation, to automatically apply the vehicle brakes if the driver has not done so, or to apply more braking force to supplement the driver's braking. AEB systems were originally developed to detect a crash imminent situation with a lead vehicle, but AEB is in a state of rapid advancement and some of the systems on the market now also warn about, and respond to, an imminent collision with a pedestrian. Pedestrian AEB (PAEB) systems are designed to stop the vehicle automatically before striking a pedestrian or reduce the speed at which an impact occurs if the vehicle's initial speed is too high to avoid impact. On May 9, 2024, NHTSA published a final rule requiring AEB and PAEB systems on light vehicles which adopts FMVSS No. 127.⁴ FMVSS No. 127 builds on a voluntary commitment, announced by NHTSA in March 2016, by 20 vehicle

manufacturers to make lead-vehicle AEB a standard feature on light vehicles, though that commitment did not include PAEB.⁵ When new vehicles are equipped with PAEB, we anticipate that fewer pedestrians will be struck. For some impacts that cannot be avoided due to the closing speed of the vehicle (the relative speed between the vehicle and what it is approaching, in this case, the pedestrian), PAEB will lower the vehicle's speed so more impacts will be at speeds of 40 km/h (25 mph) or less, which is the velocity range FMVSS No. 228 is designed to replicate. FMVSS No. 228 would address those crashes and ensure the vehicles mitigate the risk of serious to fatal head injury in these impacts.⁶ PAEB will eliminate many pedestrian impacts and reduce the impact of those crashes that do occur. This NPRM, if adopted, would further reduce the risk of serious injury or death from head injuries if a pedestrian strikes the hood of a vehicle. NHTSA has accounted for the effect of FMVSS No. 127 in estimating the economic impacts of this rulemaking.

This NPRM proposes FMVSS No. 228 and aligns with the goals of DOT's January 2022 National Roadway Safety Strategy, which describes the five key objectives of the Department's Safe System Approach: safer people, safer roads, safer vehicles, safer speeds, and post-crash care. FMVSS No. 228 would mandate requirements for safer vehicles and leverage advanced crash avoidance technology like PAEB in conjunction with the crashworthiness countermeasures based on GTR 9 to realize far-reaching improvements to pedestrian safety. NHTSA also notes that although research into vulnerable

⁵ The 20 vehicle manufacturers represent more than 99 percent of the U.S. market. The commitment was to have AEB on virtually all (at least 95 percent) new passenger cars, light trucks, and MPVs with a GVWR of 8,500 pounds or less no later than September 1, 2022, and a standard feature on virtually all light trucks and MPVs with a GVWR between 8,501 pounds and 10,000 pounds no later than Sept. 1, 2025. Most manufacturers met the 2022 mark, but some did not (<https://www.iihs.org/news/detail/three-more-automakers-fulfill-pledge-to-make-autobrake-nearly-universal>). Other agency data indicate about 87% of production has PAEB. <https://www.transportation.gov/NRSS/SaferVehicles>. The voluntary commitment did not involve a pedestrian AEB component. NHTSA's NPRM would require an AEB system that detects and reacts to both lead vehicles and pedestrians and would increase the lead-vehicle performance required of AEB over that described in the voluntary commitment.

⁶ Yanagisawa, M., Swanson, E., Azeredo, P., & Najm, W.G. (2017, April). Estimation of potential safety benefits for pedestrian crash avoidance/mitigation systems. (Report No. DOT HS 812 400). Washington, DC: National Highway Traffic Safety Administration. https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/812400_pcambenefits_report.pdf.

Pedestrian safety: assessment of crashworthiness test procedures (Report No. DOT HS 813 518). National Highway Traffic Safety Administration.

² NHTSA has proposed a roadmap for the agency's plans to upgrade NCAP in phases over the next several years. 87 FR 13452, March 9, 2022, extension of comment period, 87 FR 27200.

³ 88 FR 34366, May 26, 2023. The proposed NCAP pedestrian protection program would incorporate crashworthiness tests similar to those used by the European New Car Assessment Programme (Euro NCAP). Euro NCAP's tests are closely aligned with those in GTR 9.

⁴ 88 FR 38632, Docket NHTSA-2023-0021. The NPRM applies to passenger vehicles with a GVWR of 4,536 kg (10,000 lb) or less. The action can also be found in the Unified Agenda of Regulatory and Deregulatory Actions, RIN 2127-AM37.

NATIONAL

Enforcement was considered discriminatory. Now New Yorkers can jaywalk legally

OCTOBER 30, 2024 5:03 PM ET

By
Alana Wise



A person waits to cross Lexington Avenue in Manhattan on Feb. 21. Newly passed legislation decriminalized jaywalking in New York City.

Charly Triballeau/AFP via Getty Images

Just about everybody on the streets of New York City seems to jaywalk — but now it's no longer illegal.

Supporters of the measure to decriminalize jaywalking said enforcement was often discriminatory.

“Let's be real: jaywalking is a way of life in New York City. It's how people navigate our city,” said Council Member Mercedes Narcisse of Brooklyn, the lead sponsor of the legislation, said in a statement to NPR.

“Penalizing residents for crossing the street as they go about their day is outdated and unnecessary, especially given how disproportionately these penalties have been enforced,” she said.

Sponsor Message

Jaywalking officially became legal last weekend, a month after the New York City Council passed a bill to stop police from issuing tickets for pedestrians who stepped outside the lines — a crime that used to carry a penalty of up to \$250.

"Police officers have told me they prefer to spend their time on real safety concerns, not handing out jaywalking tickets," Narcisse said. "This law frees them up to focus on more critical community issues, making better use of their efforts and resources."

New York police have long faced criticisms for stopping Black and Hispanic pedestrians at a far steeper rate than white citizens.

[Gothamist reported](#) that in the first six months of 2024, the New York Police Department issued 786 pedestrian-related summonses, 77% of which went to Black or Hispanic people.

“We’re seeing discriminatory enforcement of this, but the other thing is that it’s not keeping us any safer,” said Council Member Tiffany Cabán of Queens, who was one of the bill’s sponsors.

The Legal Aid Society, which has long been critical of the jaywalking penalties, praised the City Council for getting the law passed and said it would be monitoring the NYPD to ensure they respected the new legislation.

Sponsor Message

“Decriminalizing jaywalking in New York City is long-overdue and eradicates a mechanism that the New York City Police Department (NYPD) has, for decades, employed as a pretext to stop, question, and frisk New Yorkers, especially those from communities of color,” the Legal Aid Society said [in a statement](#).

“With this legislation now codified, we hope that both the Adams Administration and the City Council will continue to abolish relic laws that serve no public safety purpose and only ensnare people in the criminal legal system,” the group added.

DOT RESPONSE

Service Animal Inspection Process

The Department of Agriculture indicated that staff shortages and increased arrivals in general has affected the ability of staff at the Airport Animal Quarantine Holding Facility (AAQHF) in HNL to perform terminal inspections. Requests for teams with significant mobility issues can be conveyed to the AAQHF to see if staff is available to accommodate terminal inspections on a case by case basis.

The Air Carriers Access Act includes an existing service which allows individuals with disabilities to request assistance to various locations within the airport, including the AAQHF and the passenger baggage claim areas. An airline representative is currently required to escort any passengers traveling with, in cabin, animals to the AAQHF. The request to the air carrier for assistance is a separate service from the required escort.

In an effort to help address the concerns regarding travel distance and finding the passenger baggage claim, Hawaii Department of Transportation added additional information to the web page for Traveling with Pets, which includes information for Guide/ Service Dogs. The following verbiage has been added this linked web page <https://airports.hawaii.gov/hnl/flights/traveling-with-pets/>.

Individuals with disabilities traveling with service animals may contact their air carrier to request assistance to the Airport Animal Quarantine Holding Facility (AAQHF) and to baggage claim. Travelers may also request arrangements with their air carrier for a transport chair if desired. Click on this link for more information on [Airline Passengers with Disabilities Bill of Rights](#).

The Department of Agriculture has included similar verbiage on their web page for Guide and Service Dogs Entering Hawaii as shown in the following link. <https://hdoa.hawaii.gov/ai/aqs/animal-quarantine-information-page/guide-service-dogs-entering-hawaii/>

Driver's License Testing

The current law requires individuals applying for a driver's license who experienced various physical or medical conditions as specified in §19-122-359, to submit a medical report which is reviewed by a medical advisory board. The medical advisory board reviews the information submitted by the applicant and provides a recommendation to the county driving examiner. The county will use the medical advisory board recommendation to determine how to proceed and will usually follow the recommendation of the medical advisory board due to the board's medical expertise. The decision may sometimes conflict with the individuals own medical provider, however since the medical board consists of no fewer than five physicians, the county is likely to follow the recommendation of the medical board based on liability concerns.

The other issues regarding accessible parking at the examination sites and setting up appointments, which are administered by the counties at county facilities, should be addressed by the different county agencies. We recommend contacting the ADA Coordinators for the County of Hawaii, County of Kauai, County of Maui, and the City and County of Honolulu to have them work with their motor vehicle licensing agency on addressing those concerns.

From: [DOH.dcab, Disability & Communication Access Board](#)
To: [Shaw, Kirby L.](#); [Mick, Bryan K](#)
Subject: FW: Online Submission via Website
Date: Tuesday, October 1, 2024 7:57:41 AM

From: dcab@doh.hawaii.gov <dcab@doh.hawaii.gov>
Sent: Monday, September 30, 2024 8:03 PM
To: [DOH.dcab, Disability & Communication Access Board](#) <DOH.dcab@doh.hawaii.gov>
Subject: Online Submission via Website

New message received through Contact Us form.

| |
|---|
| Name |
| Andrew& Gillian |
| Email |
| |
| Phone |
| |
| County of Residence |
| Other (Out of State/Country) |
| Inquiry Request |
| Other |
| Comment or Question |
| <p>We recently visited your beautiful islands and would love to return in the future with our oldest daughter who is physically disabled and requires a wheel chair and modified wheelchair van. Unfortunately, we have been quite disheartened to discover that availability and prices to rent modified disability vehicles is extremely high on the Hawaiian Islands. The pricing is so high it almost seems discriminatory for people with disabilities.</p> <p>It's a real shame, as I'm sure there are many tourists who would love to visit your state, but find the pricing for a mobility vehicle to travel around your islands is prohibitive for such a trip. When we traveled to Florida, disability vehicles were much more readily available and more easily rented. It's unfortunate that the Government of Hawaii couldn't encourage or require Vehicle Rental companies on the islands to maintain a stock of mobility vehicles within their inventory. Aloha! From Canada</p> |

From: Linda Mansour

Sent: Wednesday, October 9, 2024 9:18 AM

To: DOH.dcab, Disability & Communication Access Board <DOH.dcab@doh.hawaii.gov>

Subject: [EXTERNAL] Lihue Airport Budget Rental

Please provide info on whether a Budget Rental bus can legally discharge and board passengers at a red painted curb. The curb had no access to be able to safely step over or guide a suitcase through that RED curb area to then enter their facility to process paperwork for a rental car. Please see photo.



This was how my bus delivered passengers. The photo BELOW is the next bus with same driver and is discharging passengers much more safely but still same red painted curb.

PLEASE ADVISE if they can just stop in the middle of an entry road to allow all passengers to depart regardless of walking abilities.

Linda Mansour



From: Howard, Bonnie <Bonnielee.Howard@avisbudget.com>

Sent: Thursday, October 10, 2024 12:38 PM

To: Buote, Duane E <Duane.E.Buote@hawaii.gov>

Subject: RE: [EXTERNAL] Lihue Airport Budget Rental

Aloha Duane,

Here are some pictures of our Budget location, the same location in question. We do have ramps, both sides of where the complainant was dropped off, steps away from where Ms. Mansour was dropped at. See below.







This is the same curb above as the picture Ms. Mansour took, just with the ramp included. Curb is painted red as it is our shuttle bus lane for pick up and drop off.

Picture complainant took of above curb:

