STAND. COM. REP. NO. 2951

Honolulu, Hawaii

MAR 1 7 2006

RE: H.B. No. 2422

H.D. 1 S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Transportation and Government Operations, to which was referred H.B. No. 2422, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to increase the penalties for motorists who violate Hawaii's crosswalk law.

This measure provides penalties as follows:

- (1) For a first conviction, a fine of not less than \$150;
- (2) For a second conviction, a fine of not less than \$300; and
- (3) For a third or subsequent conviction, committed within one year of the date of the second offense, a fine of not less than \$1000.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and the Public Defender.

Act 73, Session Laws of Hawaii 2005, amended the crosswalk law to clarify when a motorist has a duty to come to a complete stop for a pedestrian in a crosswalk. However, according to a November 13, 2005 article in the *Honolulu Advertiser*, despite a

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highly publicized new law to protect pedestrians, the number of people killed in crosswalks has increased forty-three percent this year and the State could have its highest number of pedestrian traffic deaths in five years.

According to testimony of the Department of Health, pedestrian deaths and injuries in Hawaii are a serious public health problem. Pedestrian injuries rank sixth among the leading causes of fatal injuries for all ages groups in Hawaii. Alarmingly, Hawaii had the highest pedestrian fatality rate for seniors in the nation over the 1999-2003 period. The lack of safe walking and particularly crossing conditions on roadways thwarts the mobility of pedestrians and their ability to exercise, denying them a proven health benefit.

Your Committee finds that the crosswalk law needs to be strengthened by enhanced penalties as a deterrent and punishment to drivers who do not stop for pedestrians.

Your Committee has amended this measure by deleting its contents and inserting provisions of S.B. No. 2385, S.D. 1, a companion measure that restores the harsher penalties of license revocation and imprisonment and is effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Transportation and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2422, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Transportation and Government Operations,

Jorraine R. INOUYE, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Transportation and Government Operations (Bills and Resolutions)

Measure:* HB 1421 HD1	Committee Referral:		Date: 3 \ 13 \ 06		
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)					
Members	Α	yes Aye	s(WR)	Nays	Excused
INOUYE, Lorraine R. (C)					
ESPERO, Will (VC)	, p				
BAKER, Rosalyn H.	is cannumbures on sensus summer Establisher.				
HEE, Clayton	· ·				
KANNO, Brian	i i i i i i i i i i i i i i i i i i i		estoretuine siidan		
MENOR, Ron					
WHALEN, Paul					
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TOTAL	4	7			3
Recommendation:			_		
Adopted Not Adopted					
Chair's or Designee's Signature: Will Eyero					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do not list more than one measure per Record of Votes.