
A BILL FOR AN ACT

RELATING TO PEDESTRIANS' RIGHT OF WAY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 291C-72, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§~~291C-72 **Pedestrians' right of way in crosswalks.** (a)

4 The driver of a vehicle shall stop [~~and yield the right of way,~~
5 ~~to~~] for a pedestrian who is crossing the roadway within a
6 crosswalk when the pedestrian is [~~upon~~] either:

7 (1) Upon the half of the roadway upon which the vehicle is
8 traveling[~~;~~]; or [~~when the pedestrian is approaching~~]

9 (2) Approaching the vehicle so closely from the opposite
10 half of the roadway as to be in danger[~~;~~],

11 and shall not proceed until the pedestrian has passed the
12 vehicle and the driver can safely proceed.

13 (b) No pedestrian shall suddenly leave a curb or other
14 place of safety and walk or run into the path of a vehicle which
15 is so close that it is impossible for the driver to yield.

16 (c) Subsection (a) shall not apply under the conditions
17 stated in section 291C-73(b).



1 (d) Whenever any vehicle is stopped at a marked crosswalk
2 or at any unmarked crosswalk at an intersection to permit a
3 pedestrian to cross the roadway, the driver of any other vehicle
4 approaching from the rear shall not overtake and pass [~~such~~] the
5 stopped vehicle.

6 (e) Every person who violates this section shall be
7 subject to the following penalties:

8 (1) For a first infraction, or any infraction not preceded
9 within one year by a prior violation of this section,
10 a fine of \$150;

11 (2) For an infraction that occurs within one year of a
12 prior violation of this section, a fine of \$300 and
13 revocation of the person's driver's license and
14 privilege to operate a vehicle for a period of ninety
15 days; and

16 (3) For an infraction that occurs within two years of two
17 prior violations of this section, and for the fourth
18 and each additional infraction of this section,
19 regardless of when committed, a fine of \$1,000, and
20 revocation of the person's driver's license and



1 privilege to operate a vehicle for a period of one
2 hundred eighty days."

3 SECTION 2. Section 291C-73, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~+~~§291C-73~~+~~ **Crossing at other than crosswalks.** (a)

6 Every pedestrian crossing a roadway at any point other than
7 within a marked crosswalk or within an unmarked crosswalk at an
8 intersection shall yield the right of way to all vehicles upon
9 the roadway.

10 (b) Any pedestrian crossing a roadway at a point where a
11 pedestrian tunnel or overhead pedestrian crossing has been
12 provided shall yield the right of way to all vehicles upon the
13 roadway.

14 (c) Between adjacent intersections at which traffic-
15 control signals are in operation, pedestrians shall not cross at
16 any place except in a marked crosswalk.

17 (d) No pedestrian shall cross a roadway intersection
18 diagonally unless authorized by official traffic-control
19 devices; and, when authorized to cross diagonally, pedestrians
20 shall cross only in accordance with the official traffic-control
21 devices pertaining to ~~such~~ the crossing movements.



1 (e) Every person who violates this section shall be fined
2 \$100."

3 SECTION 3. Section 291C-161, Hawaii Revised Statutes, is
4 amended by amending subsection (c) to read as follows:

5 "(c) Every person convicted [~~of violating~~] under or found
6 in violation of section 291C-12, 291C-12.5, 291C-12.6, 291C-72,
7 291C-73, 291C-95, or 291C-105 shall be sentenced or fined in
8 accordance with those sections."

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun, before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.



H.B. NO. 375
H.D. 1
S.D. 2
C.D. 1

Report Title:

Motor Vehicles; Pedestrian Crosswalks

Description:

Clarifies a driver's duty to stop for a pedestrian in a crosswalk. Imposes fines for drivers and pedestrians who fail to comply with the crosswalk law based on the number of previous infractions of the same offense. (HB375 CD1)

