
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 either [~~upon~~]:

7 (1) Upon the half of the roadway upon which the vehicle is
8 traveling[~~7~~]; 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 (b) No pedestrian shall suddenly leave a curb or other
12 place of safety and walk or run into the path of a vehicle which
13 is so close that it is impossible for the driver to yield.

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

16 (d) Whenever any vehicle is stopped at a marked crosswalk
17 or at any unmarked crosswalk at an intersection to permit a
18 pedestrian to cross the roadway, the driver of any other vehicle



1 approaching from the rear shall not overtake and pass such
2 stopped vehicle.

3 (e) Every person who violates this section shall be fined:

4 (1) At least \$ but not more than \$ for a first
5 conviction;

6 (2) At least \$ but not more than \$ for a second
7 conviction committed within one year after the date of
8 the first offense; and

9 (3) At least \$ but not more than \$ for a third or
10 subsequent conviction within one year after the date
11 of the first offense."

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

14 "[+]§291C-73[+] **Crossing at other than crosswalks.** (a)

15 Every pedestrian crossing a roadway at any point other than
16 within a marked crosswalk or within an unmarked crosswalk at an
17 intersection shall yield the right of way to all vehicles upon
18 the roadway.

19 (b) Any pedestrian crossing a roadway at a point where a
20 pedestrian tunnel or overhead pedestrian crossing has been
21 provided shall yield the right of way to all vehicles upon the
22 roadway.



1 (c) Between adjacent intersections at which traffic-
2 control signals are in operation pedestrians shall not cross at
3 any place except in a marked crosswalk.

4 (d) No pedestrian shall cross a roadway intersection
5 diagonally unless authorized by official traffic-control
6 devices; and, when authorized to cross diagonally, pedestrians
7 shall cross only in accordance with the official traffic-control
8 devices pertaining to such crossing movements.

9 (e) Every person who violates this section shall be fined:

10 (1) At least \$ but not more than \$ for a first
11 conviction;

12 (2) At least \$ but not more than \$ for a second
13 conviction committed within one year after the date of
14 the first offense; and

15 (3) At least \$ but not more than \$ for a third or
16 subsequent conviction within one year after the date
17 of the first offense."

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

20 "(c) Every person convicted of violating section 291C-12,
21 291C-12.5, 291C-12.6, 291C-72, 291C-73, 291C-95, or 291C-105
22 shall be sentenced in accordance with those sections."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

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

6 SECTION 6. This Act shall take effect on January 1, 2112.



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 pedestrian who fail to comply with the crosswalk law based on the number of previous convictions of the same offense. (HB375 HD1)

