
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[~~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; and shall not
11 proceed until the pedestrian has passed the vehicle
12 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, a fine of \$150;

9 (2) For a second infraction, a fine of \$300, and

10 revocation of the person's driver's license and

11 privilege to operate a vehicle for a period of ninety

12 days; and

13 (3) For a third infraction and subsequent infractions

14 committed within two years of the date of a second

15 infraction, a fine of \$1,000, and revocation of the

16 person's driver's license and privilege to operate a

17 vehicle for a period of one hundred eighty days."

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

20 **"[+]§291C-73[+] Crossing at other than crosswalks. (a)**

21 Every pedestrian crossing a roadway at any point other than

22 within a marked crosswalk or within an unmarked crosswalk at an



1 intersection shall yield the right of way to all vehicles upon
2 the roadway.

3 (b) Any pedestrian crossing a roadway at a point where a
4 pedestrian tunnel or overhead pedestrian crossing has been
5 provided shall yield the right of way to all vehicles upon the
6 roadway.

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

10 (d) No pedestrian shall cross a roadway intersection
11 diagonally unless authorized by official traffic-control
12 devices; and, when authorized to cross diagonally, pedestrians
13 shall cross only in accordance with the official traffic-control
14 devices pertaining to [such] the crossing movements.

15 (e) Every person who violates this section shall be fined
16 \$100."

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

19 "(c) Every person convicted [~~of violating~~] under or found
20 in violation of section 291C-12, 291C-12.5, 291C-12.6, 291C-72,
21 291C-73, 291C-95, or 291C-105 shall be sentenced or fined in
22 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 upon its approval.



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. (SD2)

