



DISABILITY AND COMMUNICATION ACCESS BOARD

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February 26, 2015

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

House Bill 1008 – Relating to Pedestrian Safety

The Disability and Communication Access Board (DCAB) is a statewide Governor-appointed Board with a majority of its members being persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board.

DCAB supports House Bill 1008 that requires drivers of vehicles to exercise care to ensure the safety of pedestrians who are blind or visually impaired on any roadway. We support pedestrian safety for all pedestrians, including people with various types of disabilities. In general, this is especially true with pedestrians (with and without disabilities) using cellular phones (either texting or calling) and not paying attention to traffic. Drivers should be aware of pedestrians in general and drive cautiously.

The bill also requires the examination for a driver's license to test the applicant's knowledge of operating a vehicle in a manner that ensures the safety of pedestrians who are blind or visually impaired. This bill may not be the appropriate mechanism to accomplish that objective. The state Department of Transportation works with the counties regarding the driver's manual and how to add and delete questions from the driver's written examination. DCAB suggests working with the Department of Transportation on adding questions related to pedestrian safety and including questions about how to identify a pedestrian who is blind or visually impaired and use more caution when noticing a pedestrian who is blind or visually impaired on the roadway. Adding questions to the driver's examination to specifically mention one group of people with disabilities may not require a change in statute, but a cooperative effort between state and county agencies to add the question to the driver's examination.

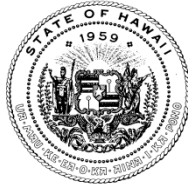
Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director

DAVID Y. IGE
GOVERNOR



FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 26, 2015
2:00 p.m.
State Capitol, Room 325

**H.B. 1008
RELATING TO BLIND PEDESTRIAN SAFETY**

House Committee on Judiciary

The Department of Transportation (DOT) has **no position** on H.B. 1008 relating to blind pedestrian safety, but would like to provide the following comments. This measure requires the examination for a driver's license to test the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians and further requires drivers of vehicles to exercise due care to ensure the safety of blind or visually impaired pedestrians.

The examination that tests the applicant's knowledge of the "rules of the road" is based on the traffic laws of the State and the traffic ordinances of the county where the resident resides or intends to operate a motor vehicle. It already tests the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians.

Thank you for the opportunity to provide testimony.

THE TWENTY-EIGHTH LEGISLATURE
2015
HOUSE OF REPRESENTATIVES

Chair - House Representative Karl Rhoads
Vice Chair – Rep. San Joy Buenaventura

and Committee

Support of Bill HB 1008

Strong support of HB 1008

Yolanda Phelan and Don Thomson
represent the Hawaii Association of the Blind

The Hawaii Association of the Blind strongly believe that at least one question regarding blind pedestrians must be included in all drivers tests in the state; that responsibilities toward blind pedestrians must be a part of driver's education; and that the driver's training manual must have a more complete explanation of the responsibilities of drivers toward blind pedestrians.

Because we are independent blind persons who uses sidewalks and crosses intersections where there are light signals, stop signs, cross walks that are marked or not marked.

For your information a similar resolution was introduced in the Senate in the nineties and a hearing was heard.

The police department spokesman testified that the department would cooperate with the intent of the resolution thus the resolution was held in committee.

Sense nothing was done about the matter the Hawaii Association of the blind caused the resolution to be introduced two years ago, it was

Passed by both house of legislature without going into detail we received little corporation in the enforcement of the resolution.

Therefore we find it necessary to come back to you to handle the matter.

It has been our experience that drivers in the state of Hawaii lack education regarding blind pedestrians.

It has been on numerous occasions that cars do not give blind persons the right of way to cross the street, Instead as soon as the light turns green they proceed and make a right turn with no regards to the safety of a blind person preparing to cross the street.

EXAMPLE:

We often have had to wait on several occasions for the light signal to go through another cycle because several cars are waiting to turn right and once one turns the rest follow.

Another situation is when we crossing an intersection a car will stop in the middle of the cross walk which forces us to walk around their car outside the marked area and forces us to walk into the field of traffic.

Sometimes drivers honk their horn and we are trying to focus on the traffic around us and we have no idea who they are honking at.

Sometimes they honk and yell you have a pretty dog there. Or “you can go now”. This is distracting not only to the person but to the Guide Dog as well.

The department of transportation and others in authority are not taking into consideration that there are elderly blind and others who are not good traveler because of lack of training or who may have multiple disabilities who may be crossing in the middle of the block or in other inadvisable places.

These people have the right of way as long as they are properly identified by a guide dog or cane.

HYBRED CARS

These drivers need to be educated that blind people use sound to cross the street and need to be aware that blind people cannot hear their car running and might think it is ok to cross.

One of our members was crossing the street and a car ran over his cane it went flying and he had no idea which way it went. He then had to Braille his way home by asking questions of strangers to help direct him.

Just five weeks ago a blind pedestrian was hit while crossing in the cross walk on University Avenue and King street

It is known that blind persons have been hit on Kuakinni near Nuuanou.

Recommendations that a stronger emphasis be made regarding blind pedestrians in the Hawaii State Training Drivers Manual

Responsibilities of drivers need to be more specific.

In the Hawaii State Drivers training manual and that the Driver Education Instructors be trained how to instruct students who are taking the Drivers Education training classes at schools.

We suggest the trainers seek input from members from the blind community such as the Hawaii Association of the Blind.

Yolanda Phelan

Hawaii Association of the blind

Legislative Co- Chair

Phone: 808-341-3187

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LATE

TWENTY-EIGHTH HAWAII STATE LEGISLATURE 2015

HOUSE COMMITTEE IN JUDICIARY

judtestumony@capitol.Hawaii.gov

THURSDAY, FEBRUARY 26, 2015

AT 2:00 PM IN CONFERENCE ROOM

**HOUSE BILL NO. 1008, STANDING COMMITTEE REPORT NO. 284,
RELATING TO BLIND PEDESTRIAN SAFETY**

Chair Rep. Karl Rhoads, Vice-Chair Joy Buenaventura, Members, & Friends:

Aloha from Kentucky!

My name is Francine Aona Kenyon. I myself am deaf and am a former resident of Hawaii.

I firmly and strongly support with the intent of the House Bill No. 1008, Standing Committee Report No. 284, Relating to Blind Pedestrian Safety because as a strong advocate for people with disabilities, the pedestrian safety is the very important issue not only for those who are blind but also for those who are deaf and blind.

My friends who are deaf and blind living in Maryland & Hawaii have either been injured or killed, crossing the streets either by the drivers making the left turns out speeding through the red light. They usually depend on the companion or any pedestrian letting them know it is okay to cross the street. However, the pedestrians sometime ignore helping them cross the street. It was a fact when I noticed a person with hearing & visual impairment standing on a corner after the traffic light change. I had to stop and park on the side of the street with the flashing light. I asked him in tactile signing if he need help to let him know when it was okay to cross the street safely.


Therefore, I strongly urge the members of the House Committee on Judiciary to amend the Section 219C-74, Drivers to exercise due care, by inserting "deaf-blind" as follows:

"(b) Every driver of a vehicle shall exercise due care forward pedestrians who are blind, visually handicapped, or **deaf-blind** to ensure the safety of blind, visually impaired, **deaf-blind** on any roadway."

In addition, I thereby recommend to change "Blind Pedestrian Safety" to "Pedestrian Safety For People with Hearing & Visual Disabilities" in the House Bill No. 1008.

Mahalo Nui Loa for your consideration about including those who are deaf-blind in House Bill NO.1008, Standing Committee Report No. 284, Relating to Blind Pedestrian Safety.

Sincerely,



Francine Aona Kenyon
374 Tanner Circle
Stanford, MY 40484
(808)375-9007 Text
kuliangel569@gmail.com

Honorable Representatives,

As a blind person myself, I am often a pedestrian, and I must hope and pray that drivers are exercising all due regard for safety. Cell phone texting, loud music, and other distractions are among the expected causes of driver inattention. Equally troubling to us are the absolute quiet of electronic cars. While we applaud energy conservation, we must insist that drivers be made more aware of ways that they can help with maintain safe pedestrian travel.

Respectfully,

Ann Lemke, Ph.D.

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Jackson	Individual	Comments Only	No

Comments: DCAB supports pedestrian safety for all people with disabilities, including people who are blind.

ART FRANK
84-718 FARRINGTON HWY
WAIANAE, HI 96792-1906
FEBRUARY 24, 2015

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

House Bill 1008 – Relating to Pedestrian Safety

My name is Art Frank from Makaha. I am deaf and utilize braces and crutches for mobility. As a disabled consumer I fully support HB 1008 because of my concern for the safety of my blind brother and sisters. I am asking this Judiciary committee to support this bill.

Thank you very much.

ART FRANK