JOSH GREEN, M.D. GOVERNOR OF HAWAII KE KIA'ÄINA O KA MOKU'ÄINA 'O HAWAI'I



KENNETH S. FINK, MD, MGA, MPH DIRECTOR OF HEALTH KA LUNA HO'OKELE

WRITTEN TESTIMONY ONLY

STATE OF HAWAII DEPARTMENT OF HEALTH KA 'OIHANA OLAKINO P.O. Box 3378 Honolulu, HI 96801-3378 doh.testimony@doh.hawaii.gov

Testimony COMMENTING on S.B. 2630, S.D. 1 RELATING TO PEDESTRIANS

SENATOR KARL RHOADS, CHAIR SENATE COMMITTEE ON JUDICIARY

Hearing Date: February 27, 2024

Room Number: Conference Room 016

- 1 Fiscal Implications: The Department of Health (DOH) defers to the Department of
- 2 Transportation for fiscal implications of implementation.
- 3 Department Position: The DOH offers comments on Senate Bill 2630, Senate Draft 1 (S.B. 2630,

4 S.D. 1).

5 Department Testimony: The DOH offers comments on the potential health impacts of S.B. 2630,

6 S.D. 1. which would allow pedestrians to cross a street after reasonable determination that

7 there is no immediate danger of a collision with a moving vehicle.

8 Despite Hawaii's favorable climate, geography, and reputation for active outdoor living, 9 only 24.8% of Hawaii residents, in 2019, met federal guidelines for physical activity.¹ The 10 design of roads that integrate options like walking and bicycling is a public health concern since 11 the built environment can promote or hinder physical activity. This includes removing barriers 12 and providing opportunities to cross streets safely and conveniently to access destinations such 13 as bus stops, schools, and worksites. People who are physically active generally have better

¹ Hawaii Health Data Warehouse, Hawaii State Department of Health, Behavioral Risk Factor Surveillance System, 2019.

health outcomes and are at less risk for serious chronic diseases and conditions; often the same
 conditions closely linked to severe COVID-19 outcomes.²

Pedestrian access to everyday destinations is also a social justice and healthy equity
issue.³ Jaywalking contributes to racially based police stops, which aligns with the
overrepresentation of people of color in the criminal justice system. Hawaii has a history of
disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders (NHPI), so
decriminalizing jaywalking would address some of the racial injustices in our state. In 2019,
NHPI were involved in over a one-third of police force incidents despite making up only onefourth of the population.⁴

10 Active transportation, including walking, biking, and rolling, provides everyday 11 opportunities for physical activity. Adequate built environment infrastructure is critical for accessibility, connectivity to essential community destinations, and safety. Removing barriers 12 to equitable access and making up for historical underinvestment that has resulted in 13 inadequate walking, biking, and mobility infrastructure are important components to 14 encourage active transportation. The DOH promotes evidence-based, equity-focused active 15 transportation policies that improve pedestrian and bicyclist safety infrastructure especially for 16 17 historically under-resourced communities.

Jaywalking laws are ineffective at producing roadway safety results, but also accentuate
 places which are hostile to walking. Removing jaywalking penalties has not been found to
 increase adverse public safety outcomes. Initial data from localities where decriminalization of

² CDC About Physical Activity. 2021.

³ Department of Health and Human Services, Centers for Disease Control and Prevention, *About Physical Activity*. 2021. ⁴ Kawano, L. (2021, February 4). *HPD report shows police force used most on Native Hawaiians, Pacific Islanders*. Hawaii News Now. Retrieved January 31, 2024, from <u>https://www.hawaiinewsnow.com/2021/02/05/hpd-report-shows-police-force-used-most-native-hawaiians-pacific-islanders/</u>

- 1 jaywalking was implemented (Virginia, Kansas City,⁵ and California⁶) show that there has been
- 2 little to no change in the number of traffic injuries and fatalities. In addition, cities with the
- 3 lowest traffic death rates (mainly in Europe) do not have jaywalking laws.
- 4 Thank you for the opportunity to testify on this measure.
- 5 Offered Amendments: None

⁵ Schmitt, A. (2022, June 23). *These Communities Are Making Progress After 'Jaywalking' Reform*. Streetsblog USA. Retrieved January 31, 2024, from <u>https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-making-safety-progress-after-jaywalking-reform</u>

⁶ Schmitt, A. (2023, February 14). *Denver is the latest place to eliminate harmful "jaywalking" laws that are enforced unfairly.* America Walks. Retrieved January 31, 2024, from <u>https://americawalks.org/decriminalizing-walking-notching-more-wins/</u>

COUNTY COUNCIL

Mel Rapozo, Chair KipuKai Kuali'i, Vice Chair Addison Bulosan Bernard P. Carvalho, Jr. Felicia Cowden Bill DeCosta Ross Kagawa



Council Services Division 4396 Rice Street, Suite 209 Līhu'e, Kaua'i, Hawai'i 96766

February 20, 2024

TESTIMONY OF ADDISON BULOSAN COUNCILMEMBER, KAUA'I COUNTY COUNCIL ON SB 2948, SD 1, RELATING TO HOUSING SB 2630, SD 1, RELATING TO PEDESTRIANS Senate Committee on Judiciary Tuesday, February 27, 2024 10:00 a.m. Conference Room 016 Via Videoconference

Dear Chair Rhoads and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 2948, SD 1, Relating to Housing and SB 2630, SD 1, Relating to Pedestrians. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of SB 2948, SD 1 and SB 2630, SD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of SB 2948, SD 1 and SB 2630, SD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN Councilmember, Kaua'i County Council

AAO:slr

OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk Lyndon M. Yoshioka, Deputy County Clerk

 Telephone:
 (808) 241-4188

 Facsimile:
 (808) 241-6349

 Email:
 cokcouncil@kauai.gov

GRASSROOT INSTITUTE OF HAWAII

1050 Bishop St. #508 Honolulu, HI 96813 808-864-1776 info@grassrootinstitute.org

Removing barriers to Hawaii's prosperity

Feb. 27, 2024, 10 a.m. Hawaii State Capitol Conference Room 016 and Videoconference

To: Senate Committee on Judiciary Sen. Karl Rhoads, Chair Sen. Mike Gabbard, Vice-Chair

From: Grassroot Institute of Hawaii Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN <u>SUPPORT</u> OF SB2630 SD1 — RELATING TO PEDESTRIANS

Aloha Chair and Committee Members,

The Grassroot Institute of Hawaii would like to offer its comments in support of the portion of <u>SB2630 SD1</u> that would allow pedestrians to act contrary to the traffic code after exercising reasonable care that there is no danger of collision with a moving vehicle.

In other words, this bill trusts people to cross the street after checking carefully that there are no cars coming.

Many people might assume that such legislation is unnecessary, or assume that it is the product of an overly rigid "nanny state."

Indeed, the enforcement of statutes relating to pedestrians is rigid, and the statutes themselves are — as noted in the language of this bill — "needlessly restrictive."

Any Hawaii resident can regale you with a story of the absurdity of Hawaii's pedestrian laws, including the expensive citation they or a friend received for being in the crosswalk a few seconds too soon or too late. Such stories are evidence that the current system contributes to an adversarial relationship between law enforcement and the public.

Advocates for the "right to walk" point out that jaywalking laws have been disproportionately enforced against disadvantaged groups and minorities.¹ The bill notes that "fines for pedestrians can have a disproportionate impact on people who do not drive and who primarily rely upon walking as a means of transportation."

As for the legitimate worries about safety, data from Virginia's 2020 decriminalization of jaywalking demonstrates that right-to-walk laws do not lead to an increase in pedestrian injuries or deaths.² After all, people crossing the street are more concerned about not getting hit by a car than avoiding a fine.

Finally, as the bill points out, decriminalizing jaywalking would encourage more people to walk while making the streets friendlier to pedestrians.

We commend the committee for considering this bill and encourage it to recognize the "right to walk."

Hawaii residents can be trusted to cross the street safely.

Thank you for the opportunity to testify.

Ted Kefalas Director of Strategic Campaigns Grassroot Institute of Hawaii

¹ Angie Schmitt, <u>"The Progress of Jaywalking Reform,"</u> America Walks. June 19, 2022.

² <u>Ibid</u>.



HIPHI Board

Misty Pacheco, DrPH Chair University of Hawai'i at Hilo

Titiimaea Ta'ase, JD Secretary State of Hawai'i, Deputy Public Defender

Carissa Holley, MEd Treasurer Hale Makua Health Services

Keshia Adolpho, LCSW Na'au Healing Center

Debbie Erskine ARCH-MEPS Consulting LLC, Owner

Camonia Graham - Tutt, PhD University of Hawai'i - West Oʻahu

Jennifer José Lo, MD Hawai'i Health Partners

May Okihiro, MD, MS John A. Burns School of Medicine, Department of Pediatrics

Kathleen Roche, MS, RN, CENP Kaiser Permanente

Dina Shek, JD Medical-Legal Partnership For Children in Hawai'i

Garret Sugai HMSA

JoAnn Tsark, MPH John A. Burns School of Medicine, Native Hawaiian Research Office

HIPHI Initiatives

Coalition for a Tobacco-Free Hawaiʻi

Community-Based Research & Evaluation

Community Health Worker Initiatives

COVID-19 Response

Environmental Health

Hawaiʻi Drug & Alcohol-Free Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging & Community Living

Public Health Workforce Development

Date:	January	29,	2024
-------	---------	-----	------

To: Senator Karl Rhoads, Chair Senator Mike Gabbard, Vice Chair Members of the Senate Committee on Judiciary

Re: Support SB2630 SD1, Relating to Pedestrians

Hrg: Thursday, February 27, 2024 at 10:00 AM

Healthy Eating + Active Living (HEAL) Coalition, convened by the Hawai'i Public Health Instituteⁱ appreciates the opportunity to provide **SUPPORT** for **SB2630 SD1**.

The freedom to walk as a mode of transportation is a public health issue. SB2630 SD1 expands the freedom to walk (or use an assistive mobility device like a walker or wheelchair) outside of a designated crosswalk or against a traffic light when it is safe to do so, addressing outdated jaywalking laws.

Jaywalking laws do not reduce pedestrian deaths or make our streets safer. Instead of penalizing those who walk or roll with expensive fines that do little for safety, we should instead shift resources towards infrastructure that allows people to safely walk, bike, and roll. For example, mid-block crossing (crossing in the middle of the street instead of using designated crosswalks) is safer for both people walking and rolling and driversⁱⁱ. Yet, jaywalking continues to be a criminal offense.

Furthermore, research shows that jaywalking enforcement is ineffective at preventing deaths and injuries to people walking and rolling and has a significant disparate impact on people of color. Jaywalking contributes to racially-based police stops, which aligns with the overrepresentation of people of color in the criminal justice system. With the State of Hawai'i's history of disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders (NHPI), criminalizing jaywalking further enforces racial injustice in our state.

- Kansas City found that from 2018-2020, 65% of jaywalking tickets were handed out to Black people walking and rolling, even though Black people only make up 30% of the Kansas City populationⁱⁱⁱ.
- This pattern of disproportionate ticketing of Black people is also consistent in Seattle, New York, Sacramento, Florida, and Los Angeles^{iv}.
- In 2019, NHPIs were involved in over one-third of police force incidents despite making up only one-fourth of the population^v.

• If deemed guilty, NHPIs were more likely to get a prison sentence and receive longer prison and probation sentences compared to other ethnic groups^{vi}.

This measure also helps to advance the State's aggressive climate, health, and equity goals:

- Reach net-zero carbon emissions by 2045 (State Climate Commission Goal), by removing barriers to walking as a form of active transportation.
- Eliminate disparate outcomes by race and ethnicity across all sectors.

Nationally similar policies are being enacted: "Freedom to Move" (California) and "Decriminalizing Walking" (Kansas City and Vermont). Hawai'i should follow suit and decriminalize safe street crossings.

We do prefer the original language found in SB2630. Thank you for considering our testimony on SB2630 SD1.

Sincerely,

Peggy Minyua

Peggy Mierzwa Director of Policy & Advocacy Hawai'i Public Health Insititute

^{iv} <u>https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2022/07/14/racial-justice-pedestrian-safety-fuel-jaywalking-debate</u>

<u>https://www.hawaiinewsnow.com/2021/02/05/hpd-report-shows-police-force-used-most-native-hawaiians-pacific-islanders/</u>

^{vi} <u>https://www.oha.org/wp-content/uploads/2014/11/es_final_web_0.pdf</u>

ⁱ The Healthy Eating + Active Living (HEAL) Coalition, formerly known as the Obesity Prevention Task Force, was created by the legislature in 2012 and is comprised of over 60 statewide organizations. The HEAL Coalition works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents.

ⁱⁱ <u>https://viewpointvancouver.ca/2019/01/22/those-mid-block-crossingsdid-jaywalkers-have-it-right/</u>

ⁱⁱⁱhttps://www.kcur.org/news/2021-05-06/kansas-city-is-dumping-jaywalking-tickets-because-they-mostly-go-tomen-and-african-americans

SB-2630-SD-1

Submitted on: 2/26/2024 11:47:02 AM Testimony for JDC on 2/27/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Dau	Testifying for Keiki Injury Prevention Coalition	Oppose	Written Testimony Only

Comments:

Keiki Injury Prevention Coalition **OPPOSES SB2630 SD1 Relating to Pedestrians**.

Aloha, my name is Lisa Dau representing Keiki Injury Prevention Coalition (KIPC) which is a non-profit agency with a mission to decrease childhood injuries.

Jaywalking is dangerous which is why we have a law against this behavior. Jaywalking puts drivers at risk as they won't be expecting it, and pedestrians are at risk for the same reason. It is for these reasons, KIPC OPPOSES SB2630 SD1.

Thank you,

Lisa Dau, RN Injury Prevention Coordinator

<u>SB-2630-SD-1</u>

Submitted on: 2/20/2024 4:47:52 PM Testimony for JDC on 2/27/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Jaywalking laws were enacted in the 1920s following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent the nation's growing traffic violence. Moreover, jaywalking tickets disproportionately impact people of color.

Over the past few years, legislation to repeal or reform jaywalking laws has been enacted in Virginia, California, Nevada, Denver, and in Kansas City. About 51 million Americans now live in places where jaywalking has been decriminalized in some form.

In Hawai'i, jaywalking laws have not been successful in reducing pedestrian deaths. It is time for our state to shift resources away from penalizing pedestrians, and redirect resources towards providing infrastructure so that people can safely walk, bike and roll.

<u>SB-2630-SD-1</u> Submitted on: 2/22/2024 4:54:51 PM Testimony for JDC on 2/27/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Support	Written Testimony Only

Comments:

Honorable Members of the Hawaii Legislature,

I write to you today as a staunch advocate for pedestrian rights and environmental sustainability, to express my wholehearted support for the proposed legislation aimed at providing pedestrians with greater freedom to navigate our streets safely and responsibly.

The right to walk, a fundamental liberty, is unduly constrained by current statutes. Walking is not only an essential mode of transportation for many of our citizens but also a cornerstone of a sustainable lifestyle that benefits our communities and the environment. This legislation recognizes the importance of empowering pedestrians to make judicious decisions about crossing streets when it is safe to do so, even in the absence of direct traffic signals or markings. By doing so, we acknowledge the capacity of our citizens to act responsibly and with due care for their safety and that of others.

Moreover, this bill addresses a crucial aspect of our social fabric—the relationship between law enforcement and the public. By reducing the instances in which pedestrians are penalized for jaywalking, we are fostering a more positive and less adversarial dynamic between police officers and the communities they serve. Law enforcement resources can be better allocated to addressing more serious crimes, thus enhancing public safety and trust in our police force.

It is imperative to recognize that the state's role is not to micromanage the actions of its citizens but to empower them to live freely within a framework that ensures public safety. Overly punitive measures for pedestrian violations do not reflect this principle. Instead, they often feel paternalistic and counterproductive, especially when considering that jaywalking laws disproportionately affect individuals who rely on walking as their primary means of transportation—often those without the financial means to own a vehicle. This legislation also stands as a testament to our commitment to environmental stewardship and public health. Encouraging walking reduces our carbon footprint, alleviates traffic congestion, and promotes physical well-being. As seen with the success of California's Freedom to Walk Act, such policies can significantly enhance the walkability of our streets, making our state more accessible, healthier, and greener.

In conclusion, I urge you to support this bill, which not only affirms the right of Hawaiians to walk safely and freely but also represents a step forward in our journey towards a more sustainable, equitable, and community-oriented future. Let us set an example for the nation by championing the rights of pedestrians and fostering a culture of mutual respect and care on our streets.

<u>SB-2630-SD-1</u> Submitted on: 2/23/2024 9:43:16 AM Testimony for JDC on 2/27/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patti Hatzistavrakis	Individual	Support	Written Testimony Only

Comments:

I, Patti Hatzistavrakis, fully support 2630 SB RELATING TO PEDESTRIANS. I believe that people should have the ability to walk freely, keeping in mind personal and public safety, without restriction. Jaywalking enforcement leads to a myriad of negative impacts, including hostility towards pedestrians, the potential for biased enforcement, loss of public resources, and presents an undue burden on those given citations due to the high fines involved. I appreciate the opportunity to testify in support of 2630 SB RELATING TO PEDESTRIANS. Thank you for your consideration of the bill.

Testimony of Kiana Otsuka in <u>Support with a Recommendation</u>

Committee on Judiciary

February 27, 2024 at 10:00AM

Conference Room 224

SB 2630 SD 1

Relating to Pedestrians

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee Members,

My name is Kiana Otsuka, and I am a Transportation Planner whose expertise is in walk, roll, bike, and transit. I am writing in **strong support of SB 2630 SD1 and offer a recommendation to improve the bill**, which authorizes pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle.

I am requesting the following amendment:

• Amend the bill to remove the language "provided that the pedestrian is more than two hundred feet from a marked crosswalk", as this minimizes the impact of this legislation. Also, in practice, it is nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.

I am excited to see the legislature consider a version of this bill again because current statutes relating to pedestrians are needlessly restrictive and disproportionately impact people who do not drive and those who primarily rely upon walking as a means of transportation. These people are often low-income and walk out of necessity, as owning and operating a vehicle is prohibitively expensive. I am particularly supportive of this bill for the following reasons:

1. Jaywalking laws are ineffective at producing safety results and instead create places which are hostile to walk, and leads to the over-policing of communities of color.

In places like Virginia that have decriminalized jaywalking, there has been no change in fatalities for people walking.¹ However, in places that continue to criminalize jaywalking, we've seen the overrepresentation of people of color being involved in pretextual police stops, and therefore in the criminal justice system. For example, Kansas City found that from 2018-2021, 65% of jaywalking tickets were handed out to Black people walking and rolling even though Black people only make up 30% of the Kansas City population.² This pattern of disproportionate ticketing of Black people is also consistent in Seattle, New York, Sacramento, Florida, and Los Angeles.³ While local data on the race or income of those ticketed for jaywalking is not yet available, the Prison Policy Initiative's Hawai'i Profile states that, Native Hawaiians and Pacific Islanders are 10% of the state population, but 39% of its prison and jail population.⁴ This pattern may also reflect those ticketed for jaywalking.

2. Jaywalking fines are prohibitively high particularly when compared to fines for far more dangerous behavior such as speeding.

Fines for jaywalking range between \$100 and \$150 (plus fines), depending on the country, and the type of jaywalking violation.⁵ These fines are less than some other driving-related traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities. For example, on O'ahu speeding (one to ten miles over the posted speed limit) only results in a fine of \$62 (plus \$5/mph over).⁶

3. The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S (where similar studies have been conducted). For example, data on jaywalking citations given in Washington state (population appx. 7.7 million) was recently released by the Transportation Choices Coalition. This data shows that 9,833 jaywalking citations were issued across Washington state from 2000 to 2023, which averages about 428 citations per year.⁷ This means that only 6 jaywalking citations are given per year for every 100,000 people in Washington state.

¹ <u>https://americawalks.org/jaywalking-reform-progress/</u>

²https://saferoutespartnership.org/sites/default/files/jaywalking_has_been_erased_from_kc-the_place_wh ere_the_term_was_born_-_the_pitch_may_2021.pdf

³ IBID.

⁴ Prison Policy Initiative <u>Hawai'i Profile</u> 2010

⁵ State of Hawaii Department of Transportation. *Frequently Asked Questions: What is the fine for pedestrians who jaywalk.* (2024). Available at:

https://hidot.gov/highways/safe-communities/walkwisehawaii/faq/.

⁶ Honolulu Police Department. (2024). *Motor Vehicle Safety*. Available at:

https://www.honolulupd.org/information/motor-vehicle-safety/.

⁷ Transportation Choices Coalition. (2024). <u>Ticket to Walk: How Jaywalking Enforcement Impacts</u> <u>Washingtonians</u>.

Comparatively, a staggering 349 jaywalking citations are given per year for every 100,000 people in Hawai'i. While more analysis is needed to fully understand the geographic distribution of jaywalking citations, we found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O'ahu, such as Waipahu, Kalihi, Downtown/Chinatown, and Waikīkī.

Jaywalking enforcement and our current transportation system are not effective at improving pedestrian safety. Between 2021 and 2022, Hawai'i saw a 12% increase in pedestrian fatalities, and this number has been increasing over the last few years.⁸ If we truly care about improving pedestrian safety, we need to change the way we allocate our budgets to fund projects that improve pedestrian safety and design our transportation facilities to reduce vehicle speed. The Federal Highway Administration has a great resource that includes proven safety countermeasures that Hawai'i could implement to see a substantial decrease in pedestrian crashes, hospitalizations, and deaths.⁹ Some examples include implementing pedestrian medians or refuges, road diets, leading pedestrian intervals, and rectangular rapid flashing beacons.

Thank you for the opportunity to testify on this important measure that will help to improve mobility justice and reduce the unnecessary pretextual stops, potential for escalation, and therefore incarceration and burden on the justice system. The State of Hawai'i must remove jaywalking from its criminal code and shift the responsibility of safety from people walking and rolling to systems, policies, planning and design. This will reduce traffic violence which has seen a dramatic recent increase, and prevent the disparate policing of Native Hawaiians and Pacific Islanders. There are proven safety countermeasures to improve pedestrian safety that the State and Counties may better spend our time, resources, and budget, including tax payer dollars, that will help to save lives.

Thank you for the opportunity to provide testimony.

Mahalo, Kiana Otsuka

⁸ State of Hawaii Traffic Fatalities

⁹ Proven Safety Countermeasures | FHWA (dot.gov)

Chair Karl Rhoads Vice Chair Mike Gabbard and members of the Judiciary Committee

Feb 26, 2024

IN SUPPORT

I strongly support <u>SB2630</u> which will allow pedestrians to act contrary to the traffic code after exercising reasonable care that there is no danger of collision with a moving vehicle. Decriminalize safe, commonsense street crossing, when traffic permits, whether or not a pedestrian is within a marked/unmarked crosswalk.

I support this bill for the following:

- This bill will remove a pretext for over-policing that has disproportionately hurt Black and Latinx communities. A 2019 study found that 90% of jaywalking tickets in New York City were given to Black and Hispanic people, although they only make up 55% of the city's population. A 2017 investigation by *ProPublica* and the *Florida Times-Union* found that Black people in Jacksonville are three times as likely to be stopped and cited for jaywalking as white people.
- Ending a traffic enforcement practice that places an undue financial burden on low-income residents through fines, fees, and penalties without increasing safety. The structure of jaywalking fines is not equitable. Fines for jaywalking range between \$100 and \$150 (plus fees), depending on the county, and the type of jaywalking violation. These fines are less than some other drivingrelated traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities.
- Jaywalking laws were originally created by auto industry-aligned special interest groups in the 1930s during the rise of mass automobile ownership. Prior to the emergence of cars in cities, no such concept existed; pedestrians

had free run of the public right-of-way. Automakers and owners sought regulations that would shift responsibility away from drivers and onto pedestrians. Jaywalking laws effectively fence in people traveling on foot so that cars can travel at unsafe speeds, endangering children, seniors, and other vulnerable road users. It's time to take back our streets.

- Current jaywalking laws are ineffective at producing safety results and instead create places which are hostile to walking. Nationally, pedestrian fatalities reached over 7,500 in 2022.
- The 2023 Vulnerable Road User Safety Assessment for Hawai'i noted that 57% of pedestrian crashes happen at intersections.
- This bill will recognize the rights of pedestrians to fair and equitable use of our public roadways. Which will encourage more people to walk by allowing more freedom to use desired paths instead of restrictive cumbersome linear routes that add to travel time.
- Our public resources should go towards building safe and accessible pedestrian infrastructure, not regulating pedestrians. High Pedestrian Injury Corridors comprise only 2% of Honolulu city roadway mileage, yet they account for 60% of pedestrian fatalities and 42% of injuries.
- This bill will not legalize reckless and unsafe crossing, instead decriminalize safe pedestrian actions. Make walking a more viable option. Assist in creating a walking culture aligned with Honolulu's Vision Zero Action Plan "safe streets" and "safe people".

Thank you for your time,

Joe Cisneros joecisneros937@gmail.com (559) 7186-736