

---

---

# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. The legislature finds that roadway safety is  
2 the top transportation priority. Pedestrians, bicyclists, and  
3 other vulnerable roadway users are disproportionately impacted  
4 by traffic fatalities and injuries, which are on the rise.  
5 Between the 2009 to 2013 and the 2014 to 2018 five-year time  
6 periods, pedestrian fatalities across the State rose by  
7 twenty-six per cent. Decades of automobile-centric planning and  
8 development have created formidable mobility barriers, including  
9 the lack of safe and accessible bicycle and pedestrian  
10 infrastructure. Under *Navahine v. Hawai'i Department of*  
11 *Transportation*, CIVIL NO. ICCV-22-0000631 (Hawaii Cir.Ct.), the  
12 State has committed to completing its multimodal, bike and  
13 pedestrian network within the next five years.

14           The legislature further finds that a disproportionately  
15 high number of pedestrian injuries and deaths occur at  
16 crosswalks and intersections. One solution proven to help  
17 reduce these tragedies, is to allow pedestrians and motorists



1 greater visibility as they enter into, and drive through  
2 crosswalks.

3 The legislature finds that illegal parking near crosswalks  
4 and intersections creates dangerous conditions for pedestrians,  
5 particularly children walking to school. To ensure that fines  
6 from these violations are used to improve pedestrian safety,  
7 these revenues should be deposited into the safe routes to  
8 school program special fund to fund infrastructure improvements  
9 that promote public safety.

10 Therefore, the purpose of this Act is to:

11 (1) Prohibit street parking within twenty feet on each  
12 side of any crosswalk or intersection, regardless of  
13 the presence or absence of official signs or curb  
14 markings;

15 (2) Require fines collected for street parking  
16 restrictions to be deposited into the safe routes to  
17 school program special fund; and

18 (3) Specify that signs or curb markings are not required  
19 to restrict parking within twenty feet of a crosswalk  
20 or intersection.



1 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§291C- Street parking restrictions. (a) No vehicle  
5 parking abutting the curb or edge of a vehicle travel way shall  
6 be allowed within twenty feet of a crosswalk or intersection  
7 regardless of the presence or absence of official signs or curb  
8 markings; provided that any vehicle may be parked within the  
9 designated buffer zone as applicable if the vehicle is:

- 10 (1) An authorized emergency vehicle performing the  
11 functions under section 291C-26;  
12 (2) An official federal, state, or county vehicle in the  
13 performance of its duty;  
14 (3) A stalled or broken vehicle;  
15 (4) A vehicle necessary to assist a stalled or broken  
16 vehicle;  
17 (5) A vehicle necessary to yield to an authorized  
18 emergency vehicle pursuant to section 291C-65; or  
19 (6) Otherwise authorized by law.  
20 (b) Any person who violates this section shall be subject  
21 to a fine of no less than \$100 and no more than \$500 for each



1 violation. Each day a violation occurs shall constitute a  
2 separate offense.

3 (c) All fines collected pursuant to this section shall be  
4 deposited into the safe routes to school program special fund  
5 established under section 291C-4."

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

8 **"§291C-4 Safe routes to school program special fund;**

9 **establishment.** There is established in the state treasury the  
10 safe routes to school program special fund, into which shall be  
11 deposited:

12 (1) Assessments collected for speeding in a school zone,  
13 pursuant to section 291C-104; [~~and~~]

14 (2) Safe routes to school program surcharges collected in  
15 accordance with sections 291-16 and 291C-5[~~-~~]; and

16 (3) Fines collected for street parking restrictions  
17 pursuant to section 291C- ."

18 SECTION 4. Section 291C-111, Hawaii Revised Statutes, is  
19 amended by amending subsection (b) to read as follows:

20 "(b) The director of transportation, the counties, and  
21 owners of private highways, with the consent of the county



1 official responsible for traffic control with respect to  
2 highways under their respective jurisdictions shall place signs  
3 or curb markings that are clearly visible to an ordinarily  
4 observant person prohibiting or restricting the stopping,  
5 standing, or parking of vehicles on the highway~~[.—Such]~~;  
6 provided that any sign or curb marking shall not be required to  
7 restrict parking within twenty feet of a crosswalk or  
8 intersection in accordance with section 291C- . The signs or  
9 curb markings shall be official signs and markings and no person  
10 shall stop, stand, or park any vehicle in violation of the  
11 restrictions stated on ~~[such]~~ the signs or markings."

12 SECTION 5. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 6. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

DOT; Street Parking; Restrictions; Pedestrian Safety;  
Exemptions; Fines; Safe Routes to School Program Special Fund

**Description:**

Prohibits any vehicle from parking within certain distances of crosswalks with certain exemptions. Deposits fines collected from street parking restrictions into the Safe Routes to School Program Special Fund. Specifies that signs or curb marking shall not be required to restrict parking within twenty feet of a crosswalk or intersection. Designates exemptions. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

