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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. 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- Vehicles blocking crosswalks. Vehicles stopped  
5 on and blocking any marked crosswalk at any time shall be  
6 subject to a fine no greater than \$500, excepting situations of  
7 emergency or unless ordered by law enforcement. The placement  
8 of signs or curb markings at the crosswalk shall not be  
9 necessary for the purposes of enforcing this section."

10          SECTION 2. Section 291-2, Hawaii Revised Statutes, is  
11 amended to read as follows:

12          "**§291-2 Reckless driving of vehicle or riding of animals;**  
13 **penalty.** Whoever operates any vehicle or rides any animal  
14 recklessly in disregard of the safety of persons or property is  
15 guilty of reckless driving of vehicle or reckless riding of an  
16 animal, as appropriate, and shall [be]:



1        (1) Be fined [~~not~~] no more than \$1,000 or imprisoned [~~not~~]  
2        no more than thirty days, or both[-];

3        (2) For an offense that occurs within five years of a  
4        prior conviction, be subject to a ninety-day license  
5        suspension; and

6        (3) For an offense that occurs within five years of two  
7        prior convictions, be subject to a license revocation  
8        of no more than two years, and complete an examination  
9        pursuant to section 286-108."

10        SECTION 3. Section 291E-15, Hawaii Revised Statutes, is  
11 amended to read as follows:

12        **"§291E-15 Refusal to submit to breath, blood, or urine**  
13 **test; subject to administrative revocation proceedings.** If a  
14 person under arrest refuses to submit to a breath, blood, or  
15 urine test, none shall be given, except as provided in  
16 section 291E-21, or pursuant to a search warrant issued by a  
17 judge upon a finding of probable cause supported by oath or  
18 affirmation, or pursuant to any other basis permissible under  
19 the Constitution of the State of Hawaii and laws of this State.  
20 Upon the law enforcement officer's determination that the person



1 under arrest has refused to submit to a breath, blood, or urine  
2 test, if applicable, then a law enforcement officer shall:

3 (1) Inform the person under arrest of the sanctions under  
4 section 291E-41 or 291E-65; and

5 (2) Ask the person if the person still refuses to submit  
6 to a breath, blood, or urine test, thereby subjecting  
7 the person to the procedures and sanctions under part  
8 III or section 291E-65, as applicable;

9 provided that if the law enforcement officer fails to comply  
10 with paragraphs (1) and (2), the person shall not be subject to  
11 the refusal sanctions under part III or IV[-]; provided further  
12 that if the person continues to refuse to submit to a breath,  
13 blood, or urine test after the law enforcement officer complies  
14 with paragraph (2), the person shall surrender the person's  
15 license to the law enforcement officer."

16 SECTION 4. Section 291E-65, Hawaii Revised Statutes, is  
17 amended by amending subsection (c) to read as follows:

18 "(c) If the district judge finds the statements contained  
19 in the affidavit are true, the judge shall suspend the arrested  
20 person's license and privilege to operate a vehicle as follows:



1 (1) For a first suspension, or any suspension not preceded  
2 within a five-year period by a suspension under this  
3 section, for a period of [~~twelve months;~~] three years;  
4 and

5 (2) For any subsequent suspension under this section, for  
6 a period [~~not~~] no less than [~~two~~] three years and  
7 [~~not~~] no more than five years."

8 SECTION 5. (a) The state highway safety and modernization  
9 council shall:

10 (1) Identify the one hundred most-dangerous intersections  
11 in the State based on fatality, injury, and crash data  
12 since January 1, 2014;

13 (2) Examine and identify vehicles or classes of vehicles  
14 that are more dangerous and likely to cause fatalities  
15 and injuries on the State's roadways;

16 (3) Examine vehicle weight, registration, and other  
17 related taxes or fees throughout the United States;

18 (4) Examine and identify communities and areas where there  
19 is a single ingress or egress, or otherwise limited  
20 access, that may create risk to communities during  
21 emergencies;



- 1           (5) Develop proposals for minimal emergency ingress and  
2                   egress routes that shall be accessible to vehicles as  
3                   one-way exit routes during emergencies or extreme  
4                   congestion where emergency services may be jeopardized  
5                   but may be available for pedestrian, bicycle, or  
6                   similar access;
- 7           (6) Prioritize proposals for emergency egress routes in  
8                   areas with significant populations of Asset Limited,  
9                   Income Constrained, Employed (ALICE) households, as  
10                  well as communities and households experiencing high  
11                  levels of poverty. Consideration shall be given to  
12                  data from sources such as the United Way ALICE report;  
13                  United States Census Bureau American Community Survey;  
14                  Hawaii household data from the United States  
15                  Department of Housing and Urban Development and  
16                  department of business, economic development, and  
17                  tourism; tax and social services data; geographic  
18                  information system mapping; economic studies; and any  
19                  other relevant data sources; and
- 20          (7) Submit:



1 (A) A list of five areas, with at least one area to  
2 be considered on the Waianae coast of Oahu, to be  
3 addressed from the developed proposals for  
4 minimal emergency ingress and egress routes under  
5 paragraph (5) to the department of  
6 transportation; and

7 (B) Recommendations, including any proposed  
8 legislation, to the legislature,  
9 no later than twenty days prior to the convening of  
10 the regular session of 2026;

11 provided that this section shall be implemented in compliance  
12 with applicable federal and state emergency management  
13 regulations to ensure alignment with established disaster  
14 response and evacuation protocols.

15 (b) The state highway safety and modernization council, in  
16 coordination with the department of transportation, may select  
17 up to ten intersections where the department of transportation  
18 may install photo red light imaging detector systems in addition  
19 to those currently operating, pursuant to chapter 291J, where  
20 feasible on an annual basis; provided that signals shall be  
21 changed so pedestrians have no less than a four-second lead time



1 to begin crossing the intersection before vehicles being  
2 permitted to proceed at each intersection where a photo red  
3 light imaging detector system is installed; provided further  
4 that citations shall not be issued for any photo red light  
5 imaging detector system installed pursuant to this subsection  
6 before January 1, 2027.

7 (c) The department of transportation and county  
8 transportation agencies shall assist the state highway safety  
9 and modernization council to develop actionable projects to  
10 implement for areas of minimal emergency ingress and egress.

11 (d) The state highway safety and modernization council  
12 shall submit an annual report of its findings and  
13 recommendations, including any proposed legislation, to the  
14 legislature no later than twenty days prior to the convening of  
15 each regular session.

16 SECTION 6. (a) The safe routes to school advisory  
17 committee, in coordination with the department of  
18 transportation, shall identify ten of the most-dangerous school  
19 zones in the State based on fatality, injury, and crash data  
20 since January 1, 2014, and any outreach and complaints from



1 schools and the surrounding community, where feasible on an  
2 annual basis.

3 (b) The department of transportation or county  
4 transportation agencies may install additional automated speed  
5 enforcement systems pursuant to chapter 291L, Hawaii Revised  
6 Statutes, at school zone locations that the safe routes to  
7 school advisory committee identifies as dangerous; provided that  
8 any enforcement system shall be positioned no more than two  
9 hundred feet from the school property in each school zone;  
10 provided further that citations shall not be issued for any  
11 automated speed enforcement system installed pursuant to this  
12 subsection before January 1, 2027.

13 (c) The safe routes to school advisory committee shall  
14 submit an annual report of its findings and recommendations,  
15 including any proposed legislation, to the legislature no later  
16 than twenty days prior to the convening of each regular session.

17 SECTION 7. Any expansion of the photo red light imaging  
18 detector systems program or automated speed enforcement systems  
19 program shall account for their impact on the district courts  
20 statewide and provide up to six months from the time of  
21 identification for the courts to collaborate with the department



1 of transportation before implementing any expansion of the  
2 programs.

3 SECTION 8. (a) When planning and managing state highways,  
4 in areas where state highways bisect communities with  
5 residential areas and commercial areas immediately along a  
6 highway, design features and speeds shall be determined by the  
7 National Association of City Transportation Officials'  
8 standards, which are better suited for lower speed urban and  
9 rural communities.

10 (b) In areas where state highways do not bisect  
11 communities with residential areas and commercial areas  
12 immediately along a highway, design features and speeds shall be  
13 determined by American Association of State Highway and  
14 Transportation Officials' standards, which are better suited for  
15 moving vehicles and people as quickly as possible.

16 SECTION 9. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so  
18 much thereof as may be necessary for fiscal year 2025-2026 and  
19 the same sum or so much thereof as may be necessary for fiscal  
20 year 2026-2027 for the department of transportation to  
21 coordinate with the metropolitan planning organizations for



1 training and education for all levels of government focused on  
2 traffic safety, multimodal and pedestrian infrastructure, and  
3 other priorities as may be appropriate.

4 The sums appropriated shall be expended by the department  
5 of transportation for the purposes of this Act.

6 SECTION 10. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ or so  
8 much thereof as may be necessary for fiscal year 2025-2026 and  
9 the same sum or so much thereof as may be necessary for fiscal  
10 year 2026-2027 for the department of transportation to  
11 effectuate the purposes of this Act; provided that the  
12 department of transportation may transfer all or a portion of  
13 the appropriation in this section to county agencies to  
14 effectuate the purposes of this Act.

15 The sums appropriated shall be expended by the department  
16 of transportation for the purposes of this Act.

17 SECTION 11. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2025-2026 and  
20 the same sum or so much thereof as may be necessary for fiscal  
21 year 2026-2027 to update the judiciary's information management



1 system to pull data from law enforcement traffic citations and  
2 transfer the data into court records.

3 The sums appropriated shall be expended by the judiciary  
4 for the purposes of this Act.

5 SECTION 12. If any provision of this Act, or the  
6 application thereof to any person or circumstance, is held  
7 invalid, the invalidity does not affect other provisions or  
8 applications of the Act that can be given effect without the  
9 invalid provision or application, and to this end the provisions  
10 of this Act are severable.

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

14 SECTION 14. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 15. This Act shall take effect on July 1, 3000.



**Report Title:**

DOT; State Highway Safety and Modernization Council; Safe Routes to Schools Advisory Committee; Penalties; Reckless Driving; Crosswalks; Driving Under the Influence; Annual Reports; District Courts; Appropriations

**Description:**

Prohibits any vehicles from blocking marked crosswalks. Requires a person under arrest who refuses to submit to a breath, blood, or urine test to surrender their license to a law enforcement officer. Increases the duration of the suspension of a license when a person is arrested for driving under the influence and refuses to submit to a breath, blood, or urine test. Establishes requirements for the State Highway Safety and Modernization Council. Authorizes the State Highway Safety and Modernization Council to select potential areas for the Department of Transportation to install additional photo red light imaging detector systems. Authorizes the Department of Transportation to implement additional automated speed enforcement systems in school zones as designated by the Safe Routes to School Advisory Committee. Requires annual reports. Requires the Department of Transportation to collaborate with the courts before any expansion of the safety camera systems. Appropriates funds. 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.*

