
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 not greater than \$500, excepting situations of
7 emergency or unless ordered by law enforcement."

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

10 "§291-2 Reckless driving of vehicle or riding of animals;
11 **penalty.** Whoever operates any vehicle or rides any animal
12 recklessly in disregard of the safety of persons or property is
13 guilty of reckless driving of vehicle or reckless riding of an
14 animal, as appropriate, and shall be fined not more than \$1,000
15 or imprisoned not more than thirty days, or both[-]; provided
16 that the following additional penalties shall also apply:



- 1 (1) For an offense that occurs within five years of a
- 2 prior conviction, a ninety-day license suspension; and
- 3 (2) For an offense that occurs within five years of two
- 4 prior convictions, a license revocation of not more
- 5 than two years, and completion of an examination
- 6 pursuant to section 286-108."

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

9 **"§291E-15 Refusal to submit to breath, blood, or urine**
10 **test; subject to administrative revocation proceedings.** If a
11 person under arrest refuses to submit to a breath, blood, or
12 urine test, none shall be given, except as provided in
13 section 291E-21, or pursuant to a search warrant issued by a
14 judge upon a finding of probable cause supported by oath or
15 affirmation, or pursuant to any other basis permissible under
16 the Constitution of the State of Hawaii and laws of this State.
17 Upon the law enforcement officer's determination that the person
18 under arrest has refused to submit to a breath, blood, or urine
19 test, if applicable, then a law enforcement officer shall:

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



1 (2) Ask the person if the person still refuses to submit
2 to a breath, blood, or urine test, thereby subjecting
3 the person to the procedures and sanctions under part
4 III or section 291E-65, as applicable;
5 provided that if the law enforcement officer fails to comply
6 with paragraphs (1) and (2), the person shall not be subject to
7 the refusal sanctions under part III or IV[-]; provided further
8 that if the person continues to refuse to submit to a breath,
9 blood, or urine test after the law enforcement officer complies
10 with paragraph (2), the person shall surrender the person's
11 license to the law enforcement officer."

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

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

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



1 (2) For any subsequent suspension under this section, for
2 a period not less than [~~two~~] three years and not more
3 than five years.

4 An appeal of any license suspension may be filed with the
5 administrative drivers license revocation office within thirty
6 days of a judge's suspension."

7 SECTION 5. Section 291L-2, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "~~{}~~**\$291L-2**~~{}~~ **Automated speed enforcement systems**
10 **program; established.** (a) There shall be established the
11 automated speed enforcement systems program, which shall be
12 implemented by the State to enforce the speed restriction laws
13 of the State. The automated speed enforcement system program
14 shall be limited to only those locations where a photo red light
15 imaging detector system has been implemented pursuant to chapter
16 291J.

17 (b) Automated speed enforcement systems may be implemented
18 along a road or highway by the State or counties within two
19 hundred feet of a school zone identified by the safe routes to
20 school advisory committee for the promotion of public health,
21 safety, and welfare."



1 SECTION 6. (a) The state highway safety and modernization
2 council shall:

- 3 (1) Identify the top one hundred most dangerous
4 intersections in the State based on fatality, injury,
5 and crash data since January 1, 2014;
- 6 (2) Examine and identify vehicles or classes of vehicles
7 that are more dangerous and likely to cause fatalities
8 and injuries on the State's roadways;
- 9 (3) Examine vehicle weight, registration, and other
10 related taxes or fees throughout the United States;
- 11 (4) Examine and identify communities and areas where there
12 is a single ingress or egress, or otherwise limited
13 access, that may create risk to communities during
14 emergencies;
- 15 (5) Develop proposals for minimal emergency ingress and
16 egress routes that shall be accessible to vehicles as
17 one-way exit routes during emergencies or extreme
18 congestion where emergency services may be jeopardized
19 but may be available for pedestrian, bicycle, or
20 similar access; and
- 21 (6) Submit:



1 (A) A list of five areas to be addressed from the
2 developed proposals for minimal emergency ingress
3 and egress routes under paragraph (5) to the
4 department of transportation; and

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

9 (b) The state highway safety and modernization council may
10 select up to twenty-five intersections where the department of
11 transportation may install photo red light imaging detector
12 systems in addition to those currently operating, pursuant to
13 chapter 291J; provided that signals shall be changed so
14 pedestrians have not less than a four-second lead time to begin
15 crossing the intersection prior to vehicles being permitted to
16 proceed at each intersection where a photo red light imaging
17 detector system is installed.

18 (c) The department of transportation and county transit
19 agencies shall assist the state highway safety and modernization
20 council to develop actionable projects to implement for areas of
21 minimal emergency ingress and egress.



1 SECTION 7. (a) The safe routes to school advisory
2 committee shall identify twenty-five of the most dangerous
3 school zones in the State based on fatality, injury, and crash
4 data since January 1, 2014, and any outreach and complaints from
5 schools and the surrounding community.

6 (b) The department of transportation or county agencies
7 may install additional automated speed enforcement systems
8 pursuant to chapter 291L, at school zone locations that the safe
9 routes to school advisory committee identifies as dangerous;
10 provided that any enforcement system shall be positioned not
11 more than two hundred feet from the school property in each
12 school zone.

13 SECTION 8. When planning and managing state highways, in
14 areas where state highways bisect communities with residential
15 areas and commercial areas immediately along a highway, design
16 features and speeds shall be determined by the National
17 Association of City Transportation Officials' standards, which
18 are better suited for lower speed urban and rural communities.

19 In areas where state highways do not bisect communities
20 with residential areas and commercial areas immediately along a
21 highway, design features and speeds shall be determined by



1 American Association of State Highway and Transportation
2 Officials' standards, which are better suited for moving
3 vehicles and people as quickly as possible.

4 SECTION 9. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2025-2026 and
7 the same sum or so much thereof as may be necessary for fiscal
8 year 2026-2027 for the department of transportation to
9 coordinate with the metropolitan planning organizations for
10 training and education for all levels of government focused on
11 traffic safety, multimodal and pedestrian infrastructure, and
12 other priorities as may be appropriate.

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

15 SECTION 10. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2025-2026 and
18 the same sum or so much thereof as may be necessary for fiscal
19 year 2026-2027 for the department of transportation to
20 effectuate the purposes of this Act.



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

3 SECTION 11. If any provision of this Act, or the
4 application thereof to any person or circumstance, is held
5 invalid, the invalidity does not affect other provisions or
6 applications of the Act that can be given effect without the
7 invalid provision or application, and to this end the provisions
8 of this Act are severable.

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

12 SECTION 13. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 14. This Act shall take effect on July 1, 2050.



Report Title:

DOT; State Highway Safety and Modernization Council; Safe Routes to Schools Advisory Committee; Motor Vehicles; Safety; Penalties; Reckless Driving; Crosswalks; Traffic Regulations; Driving Under the Influence; Report; 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 a breath, blood, or urine test. Allows the appeal of any license suspension to be filed with the administrative driver's license revocation office. Authorizes the State Highway Safety and Modernization Council to implement an additional twenty-five photo red light imaging detector systems. Authorizes the Department of Transportation to implement an additional twenty-five automated speed enforcement systems in school zones as designated by the Safe Routes to School Advisory Committee. Establishes requirements for the State Highway Safety and Modernization Council. Requires a report to the Legislature. Appropriates funds. Effective 7/1/2050. (SD1)

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

