

STAND. COM. REP. NO.

130

Honolulu, Hawaii

FEB 10 2025

RE: S.B. No. 106
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 106 entitled:

"A BILL FOR AN ACT RELATING TO PEDESTRIANS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize 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.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Oahu Metropolitan Planning Organization, Hawai'i Appleseed Center for Law & Economic Justice, Hawai'i Bicycling League, Hawai'i Public Health Institute, Hawaii Self-Advocacy Advisory Council, Get Fit Kauai, Grassroot Institute of Hawaii, Hawai'i Workers Center, one member of the Kaua'i County Council, and fourteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Transportation, Honolulu Police Department, Keiki Injury Prevention Coalition, and one individual.

Your Committee received comments on this measure from the Department of Health.



Your Committee finds that existing statutes relating to pedestrians are needlessly restrictive, disproportionately impacting individuals who rely on walking as a primary form of transportation. By relaxing statewide pedestrian street regulations, Hawaii can dramatically increase walkability for people throughout the State. Your Committee believes that in many situations, the perception and judgment of pedestrians can be more effective in mitigating injuries than the threat of fines for street-crossing violations. Therefore, by allowing pedestrians to act contrary to statewide traffic regulations under certain conditions, this measure will maintain the safety of pedestrians while increasing walkability and freedom for those who choose to walk.

Your Committee notes testimony raising concerns that this measure will put pedestrians at risk as motorists may not expect them outside of a marked crosswalk.

Accordingly, your Committee has amended this measure by:

- (1) Adding language that will limit the exemption to pedestrians who are more than two hundred feet from a marked crosswalk;
- (2) Inserting language that requires drivers to yield to pedestrians when the pedestrian clearly indicates their intention to cross the roadway at a crosswalk;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 106, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,

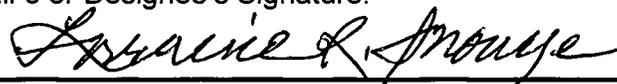


CHRIS LEE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Culture and the Arts
TCA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 106	TCA, JDC	<i>1-30-2025</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.			✓	
KANUHA, Dru Mamo	✓			
DECORTE, Samantha			✓	
TOTAL	3		2	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes