



**LATE**

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 4, 2025  
3:00 p.m.  
State Capitol, Room 224

**S.B. 1194  
RELATING TO TRANSPORTATION**

Senate Committee on Transportation and Culture and the Arts

The Hawaii Department of Transportation (HDOT) **supports** S.B. 1194 which prohibits any person from engaging in any activity that has the intent and effect of distracting drivers along streets, roadways, or other public property within one hundred feet of an intersection.

Commercial activities, advertising, soliciting, and other roadside distractions can significantly impact driver attention, increasing the risk of motor vehicle crashes, injuries, and property damage. Distracted driving is a well-documented hazard that has led to countless preventable accidents, endangering motorists, pedestrians, and cyclists alike.

HDOT supports prohibiting activities that distract drivers along streets and roadways. However, HDOT requests that this restriction not be limited to areas near intersections but rather be expanded to align with the broader scope of HRS 291C-77(a) to enhance roadway safety.

HDOT requests Section 2 be amended to read as follows:

SECTION 2. Section 291C-77, Hawaii Revised Statutes, is amended to read as follows: "§291C-77 Pedestrians soliciting rides, business, or attention of motorist. (a) Except as otherwise provided by county ordinance, no person shall stand in, walk along, or otherwise occupy a portion of a highway for the purpose of soliciting a ride, employment, business, or contributions from the occupant of any vehicle.

(b) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(c) No person shall engage in commercial activity, advertising, soliciting, or any other activity that has the effect of distracting or drawing the attention of drivers along any street, roadway, or other public place ~~within one hundred feet of an intersection~~ with the intent or purpose of engaging with drivers."



*Cade Watanabe, Financial Secretary-Treasurer*

*Gemma G. Weinstein, President*

*Eric W. Gill, Senior Vice-President*

February 4, 2025

Senate Committee On Transportation And Culture And The Arts (hearing on 2/4/25)

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

**Testimony in Strong Opposition to SB1194**

**LATE**

Chair Lee, Vice Chair Inouye and members of the committee,

UNITE HERE Local 5 represents over 10,000 working people in the hotel, foodservice and healthcare industries across Hawaii.

**We strongly oppose SB1194 as written.** We are concerned this bill would infringe on 1<sup>st</sup> amendment free speech rights. We appreciate the bill's apparent intent to limit roadside commercial activity, but the bill's language adds "*or any other activity*" as a condition that would violate the proposed law. That is far too broad and would infringe on free speech activities.

Thank you for this opportunity to testify.