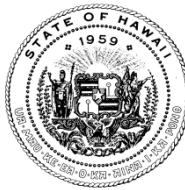


LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

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

Thursday, February 12, 2026
8:30 a.m.
State Capitol, 430

HB2186
RELATING TO PEDESTRIAN SAFETY

House Committee on Transportation

The Department of Transportation (DOT) is in strong support of H.B. 2186. This legislation addresses critical gaps in pedestrian protection on Hawaii's roadways and aligns with the DOT's ongoing commitment to implementing Vision Zero principles, which prioritize the safety of the most vulnerable road users.

The bill clarifies driver obligations at crosswalks by establishing a clear and enforceable duty to stop and remain stopped for pedestrians, including blind or visually impaired individuals. This aligns with best practices seen in other states like Oregon and Washington, where explicit "stop and remain stopped" standards have contributed to improved pedestrian safety outcomes. The legislation specifically amends Section 291C-72 of the Hawaii Revised Statutes to codify these expectations, ensuring that drivers are held accountable for their actions when pedestrians are lawfully crossing roadways.

Additionally, the bill strengthens penalties for violations, particularly within school zones, and introduces new criminal penalties for cases involving serious bodily injury to pedestrians. These enhancements reflect the severity of harm caused by reckless driving and underscore the need for robust legal consequences that deter dangerous behavior. The inclusion of heightened protections for blind and visually impaired pedestrians—such as requiring drivers to stop and remain stopped for individuals using white canes or guide dogs—is especially important given the increased vulnerability these groups face.

By advancing these reforms, H.B. 2186 supports the State's broader traffic safety goals and reinforces the fundamental right of all residents and visitors to walk safely on public roadways. It also promotes equitable and sustainable transportation options, recognizing walking as a vital component of a well-functioning transportation system.

Thank you for the opportunity to testify in support of this bill.

JON N. IKENAGA
PUBLIC DEFENDER

DEFENDER COUNCIL
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SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
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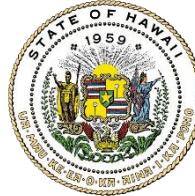
APPELLATE DIVISION
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FAMILY COURT DIVISION
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OFFICE OF THE PUBLIC DEFENDER

HAYLEY Y. C. CHENG
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February 10, 2026

HB 2186: RELATING TO PEDESTRIAN SAFETY

Chair Darius K. Kila, Vice Chair Tyson K. Miyake and Members of the Committee on Transportation

The Office of the Public Defender (OPD) **respectfully opposes parts of HB 2186** which seek to amend Hawai'i Revised Statutes (HRS), Chapter 707 by adding a section dealing with the Negligent Injury to a Pedestrian in a Crosswalk in the First Degree and Second Degree, and Failure to stop for a Blind or Visually Impaired Pedestrian.

Regarding the proposed language creating the sections described as “Negligent Injury to a Pedestrian in a Crosswalk in the First and Second Degree”, the OPD believes that said proposed prohibitions and their related concerns are currently adequately covered in HRS sections 707-705, Negligent Injury in the First Degree and 707-706 Negligent Injury in the Second Degree. HRS 707-705 currently makes it a Class C felony for any person to cause **serious** bodily injury to another person by the negligent operation of a vehicle, or **substantial** bodily injury to a “**vulnerable person**” (defined as a pedestrian legally within a street or public highway) which should include any pedestrian within a crosswalk. HRS 707-706 makes it a misdemeanor for any person to cause **substantial** bodily injury to another person by the negligent operation of a vehicle. This section could be amended to further read: “or causes **bodily injury** to a vulnerable person by the operation of a vehicle in a negligent manner”. The OPD would further note that the language proposed as 707 (3): “The penalties under this section shall be in **addition** to any other penalties under Chapter 291C” would create a constitutional double jeopardy problem by allowing a defendant to be twice punished for the same action. Furthermore, it would require an analysis under HRS 701-109 dealing with the legal doctrine of merger. In short, the problem would be that the current definition of “vulnerable

“person” includes “a person within a crosswalk”, and thus would cause a merger issue that would have to be resolved in the defendant’s favor under State v. Modica, 567 P.2d 420 (1977)

Consistency in statutory language serves three purposes:

First, it allows for the logical progression of what is prohibited from the most serious to the less serious regarding prohibitions and consequences.

Second, it allows for a better understanding of what is being charged, and what other crimes might be considered included offenses, and

Third, it allows for the more efficient listing of like crimes or prohibitions, and prevents a multitude of differing but similar charges to be listed in different parts of the HRS.

HB 2186 also adds a new section to HRS section 707 by creating the offense of Failure to stop for a blind or visually impaired pedestrian. The OPD does not oppose the spirit of this part of HB 2186, but does have two concerns:

First, the definition of a pedestrian considered to be blind or visually impaired includes a person that uses a guide dog. Unlike the definition and clear description of a cane used by someone that is visually impaired, there is no definition for the term guide dog. Today, many people that are not visually impaired utilize harnesses, vest like leashes or multi point connections with their dogs, which could be confusing regarding the identification of a guide dog for the visually impaired. Furthermore, the language of this bill does not take into consideration other methods which are used by the visually impaired to help with their movement within the community. This is not to say that any person at a cross walk or crossing a roadway should not be given the same consideration as someone who is visually impaired, but when the lack of consideration could lead to criminal prosecution it is important to give proper notice as to what behavior and state of mind is being prohibited.

Second, the OPD feels that equating a lack of consideration for our fellow citizens who are visually impaired, regardless of the **potential** for danger to them, with that of causing **actual** harm as described in the other proposed parts of HB 2186 is an unfair result. Specifically, making a violation of “Failure to Stop” a misdemeanor, as is the case for negligent injury in the second degree does not seem equitable. A conviction for a misdemeanor is a criminal conviction and can have consequences beyond the obvious. Said conviction can lead to the loss of employment, more

difficulty in gaining employment, and with the ever-changing federal immigration rules it could result in deportation or prevention from re-entry into the country. The OPD feels listing “Failure to Stop” as a traffic violation with a resulting fine would adequately serve as just punishment for those convicted and deterrence for those traversing our roadways.

Thank you for the ability to comment on this measure.



Testimony of the Oahu Metropolitan Planning Organization

House Committee on Transportation

**02/12/26 8:30 AM
CR 430 & Videoconference**

**HB2186
RELATING TO PEDESTRIANS**

Dear Chair Kila, Vice Chair Miyake, and Committee Members,

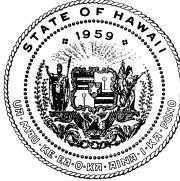
The Oahu Metropolitan Planning Organization (OahuMPO) **supports HB2186** which clarifies driver's obligations at crosswalks and requires drivers to stop and remain stopped for pedestrians in crosswalks.

This bill supports our goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities in Hawaii increased over twenty (20) percent between 2024 and 2025; most alarming, Oahu saw an increase of over sixty (60) percent in fatalities in the same period. Nearly one-third of all traffic fatalities in Hawaii in 2025 involved a pedestrian, many of whom were lawfully crossing the road. A 2011 study conducted by [AAA Foundation for Traffic Safety](#) found that the average risk of death for a pedestrian reaches 50% at an impact speed of 42 MPH, 75% at 50 MPH, and 90% at an impact speed of 58 MPH.

The OahuMPO is the federally designated Metropolitan Planning Organization (MPO) on the island of Oahu responsible for carrying out a multimodal transportation planning process, including the development of a long-range (25-year horizon) metropolitan transportation plan, referred to as the Oahu Regional Transportation Plan (ORTP), which encourages and promotes a safe, efficient, and resilient transportation system that serves the mobility needs of all people and freight (including walkways, bicycles, and transit), fosters economic growth and development, while minimizing fuel consumption and air pollution ([23 CFR 450.300](#)).

Mahalo for the opportunity to provide testimony on this measure.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELA

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P.O. Box 3378
Honolulu, HI 96801-3378
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**Testimony in SUPPORT of H.B. 2186
RELATING TO PEDESTRIAN SAFETY**

REPRESENTATIVE DARIUS K. KILA, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION

Hearing Date: February 12, 2026
8:30 AM

Room Number: Conference Room 430
via Videoconference

- 1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Transportation and other implementing agencies regarding the fiscal implications for implementation.
- 4 **Department Position:** The DOH supports House Bill 2186 (H.B. 2186), which clarifies driver's obligations at crosswalks. The measure requires drivers to stop and remain stopped for pedestrians in crosswalks, strengthens penalties for traffic violations, particularly in school zones, creates additional criminal penalties when pedestrians suffer bodily injury, and provides heightened protections for blind and visually impaired pedestrians.
- 9 **Department Testimony:** This measure supports Hawaii's goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities in Hawaii increased over twenty (20) percent between 2024 and 2025; most alarming, Oahu saw an increase of over sixty (60) percent in fatalities in the same period. Nearly one-third of all traffic fatalities in Hawaii in 2025 involved a pedestrian, many of whom were lawfully crossing the road. The Federal Highway Administration refers to this as a "safety culture," that considers safety for all users.¹ Focusing on

¹ U.S. Department of Transportation Federal Highway Administration. *Safety Culture*. Retrieved 1-27-25 from: <https://highways.dot.gov/safety/zero-deaths/safety-culture>

1 improving crosswalks, reducing vehicle speeds, and designing safer streets (e.g., implementing
2 traffic calming measures) can reduce pedestrian injuries and fatalities.

3 Despite Hawaii's favorable climate, geography, and reputation for active outdoor living,
4 only 33% of adult and 18% of high school students in Hawaii met federal guidelines for physical
5 activity.^{2,3} The design of roads that integrate active transportation options like walking,
6 bicycling, and transit is a public health concern since the safety and accessibility of a
7 community's built environment can promote or hinder physical activity. This includes removing
8 barriers to safely and conveniently accessing active transportation options. Safe, accessible,
9 and walkable communities encourage physical activity and can promote better health
10 outcomes in communities whose populations are at less risk for serious chronic diseases and
11 conditions such as obesity, heart disease, and diabetes.⁴ Policies that enhance pedestrian
12 priority at marked and unmarked crosswalks are critical for accessibility and connectivity to
13 essential community destinations, and safety. By prioritizing pedestrian rights when crossing a
14 street, this will not only encourage walking and rolling and supports Hawaii's commitment to
15 Vision Zero by incentivizing a shift away from single-occupancy vehicles, which reduces total
16 vehicle miles traveled and road congestion.

17 **Offered Amendments:** None

18 Thank you for the opportunity to testify on this measure.

² Hawaii Health Data Warehouse, Hawaii State Department of Health, Behavioral Risk Factor Surveillance System, 2023.

³ Hawaii Health Data Warehouse, Hawaii State Department of Health, Youth Risk Behavioral Survey, 2023;
https://hhdw.org/report/query/result/yrbs/PhysActMeetRec/PhysActMeetRec_HS_ST.html

⁴ CDC About Physical Activity. 2021.



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bicycle@hbl.org

HOUSE COMMITTEE ON TRANSPORTATION
Thursday - February 12, 2026 - 8:30am

Hawai'i Bicycling League Supports HB 1884, Relating to Pedestrian Safety, with remarks

Aloha Chair Kila, Vice Chair Miyake and members of the Committee,

My name is Eduardo Hernandez and I am the Advocacy Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

HBL supports HB 2186 to clarify driver obligations at crosswalks with enhanced requirements for stopping/yielding to pedestrians; strengthens penalties for violations, particularly in school zones; creates additional criminal penalties when pedestrians suffer bodily injuries as well as heightened protections for blind and visually impaired pedestrians.

Given that 2025 was one of the deadliest years in decades on Hawai'i roads, it is imperative to take bold action to influence public behavior change and raise awareness about road safety for all road users, especially vulnerable users, including pedestrians. This is aligned with Vision Zero principles which have been adopted by the Stand and the Counties. It also supports creating walkable communities and Honolulu's 2026 Charter Amendment for a more bike- and pedestrian-friendly city.

HBL urges you to support this bill and help leverage the safety benefits it presents so that individuals and families can be better protected in crosswalks statewide. Mahalo for your time and consideration.

S/Eduardo Hernandez

Eduardo Hernandez
Advocacy Director
Hawai'i Bicycling League

HB-2186

Submitted on: 2/11/2026 3:30:40 AM
Testimony for TRN on 2/12/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Hudik	PATH-People for Active Transportation Hawaii	Support	Written Testimony Only

Comments:

PATH-People for Active Transportation Hawaii is supporting HB2186 making it safer for pedestrians in crosswalks and requiring vehicles to fully stop for pedestrians crossing the road. PATH encourages people to walk and use active transportation and they should feel safe while doing so. The pedestrian and cyclist deaths in our state should be 0 and following steps towards Vision Zero to make roads safer is paramount.

HB-2186

Submitted on: 2/10/2026 7:37:13 PM
Testimony for TRN on 2/12/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry Support

2186 HB RELATING TO PEDESTRIAN SAFETY.

TO: Members of the Committee on Transportation

FROM: Natalie Iwasa
808-395-3233

HEARING: 8:30 a.m. Thursday, February 12, 2026

SUBJECT: HB2186, Pedestrian Safety - **COMMENTS**

Aloha Chair Kila and Committee Members,

Thank you for allowing the opportunity to provide testimony on HB2186, which would increase penalties for negligently operating a vehicle and hitting a pedestrian in a crosswalk, requires motorists to stop and wait for a pedestrian in a crosswalk until the adjacent lane of traffic has been cleared (or in the case of a two-lane road, wait until the pedestrian is all the way across the road), and makes other changes.

Page 7 lines 12 – 16 state:

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

Does this mean that if two or more vehicles are stopped, a motorist from the rear may pass them?

If the answer to that is “no,” what about the instance in which there are a bunch of vehicles stopped in one or two lanes but an outside lane is clear? (This can happen during busy travel times.) Is the motorist coming from the rear disallowed from overtaking the other vehicles, even though the motorist may not be able to see if a pedestrian is up ahead?

It seems there would be some unintended consequences if this bill is passed.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR



ELLIOTT K. KE, CHIEF OF POLICE
MARK T. OZAKI, DEPUTY CHIEF OF POLICE

February 10, 2026

The Honorable Representative Darius K. Kila, Chair
And Honorable Members of the Committee on Transportation
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in Support of HB 2186, Relating to Pedestrian Safety

Honorable Chair Kila, Vice Chair Miyake, and Members of the Committee:

On behalf of the Kaua'i Police Department, I am submitting testimony in **support** of HB 2186, which clarifies driver responsibilities at crosswalks and strengthens pedestrian safety on Hawai'i's roadways.

Pedestrians remain among the most vulnerable users of our transportation system. While existing law requires drivers to yield to pedestrians, ambiguities in current statute have created inconsistent understanding, compliance, and enforcement. HB 2186 addresses these gaps in a clear and practical manner.

This bill improves safety by clearly defining a driver's duty to stop and remain stopped for pedestrians, requiring drivers to wait until pedestrians have safely cleared the lane before proceeding. HB 2186 also enhances accountability by strengthening penalties for crosswalk violations, including increased consequences for repeat offenses and heightened protections in school zones. These provisions reinforce the seriousness of crosswalk safety and help deter dangerous driving behaviors.

Additionally, the establishment of criminal liability for negligent operation of a vehicle that causes bodily injury or serious bodily injury reflects the real and often life-altering harm that can result from failing to yield. The bill's enhanced protections for blind and visually impaired pedestrians further demonstrate a commitment to public safety and accessibility for all roadway users.

For these reasons, the Kaua'i Police Department respectfully urges the Committee to **pass HB 2186**. Thank you for the opportunity to testify.

Respectfully submitted,

Elliott K. Ke
Chief of Police
Kaua'i Police Department

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

National Federation of the Blind of Hawaii Testimony
submitted by James Gashel, legislative chair

House Transportation (TRN) Committee

Thirty-third legislature, 2026 regular session
February 12, 2026, 8:30 am, hearing on HB2186

Good morning Chair Kila, Vice Chair Miyake, and members. I am James Gashel, National Federation of the Blind (NFB) of Hawaii Legislative chair, supporting HB2186. This is an important bill to promote improved pedestrian safety, providing pedestrian rights at cross walks, an effort that is very much needed.

The purpose of this Act is to advance the State's traffic safety and vision zero-aligned commitments by:

- (1) Clarifying driver obligations at crosswalks; establishing a clear and enforceable duty to stop and remain stopped for pedestrians;
- (2) Strengthening penalties for violations, particularly in school zones;
- (3) Creating additional criminal penalties when violations cause bodily injury; and
- (4) Providing heightened protections for blind and visually impaired pedestrians in order to reduce preventable deaths and serious injuries on Hawaii's roadways.

All elected officers, and by far the vast majority of the members of the NFB of Hawaii are blind. Point is, we're non-drivers. When walking, we also depend a lot on what we can hear, not so much, or not at all, on what we can see. It's this real world experience we bring to you in reference to HB2186.

You should know that we have opportunities for excellent mobility training for blind people here in Hawaii. This is good, but all the training in the world can't fully resolve the increasing combined challenges of quiet cars, increasing ambient noise in many areas, increasing traffic volumes, and the growing complexities of street intersections, turning lanes, and ever-more complex traffic signals, all of which appear to give priority to cars over people on foot. It's time, even past time, for the pendulum to begin to swing more in favor of the people over the cars. It's a sacrifice to public safety if the trend I've described continues.

NFB of Hawaii supports this bill's specific requirements in section 2 of the bill relating to "Failure to stop for a blind or visually impaired pedestrian." Specifically, the driver would be required to stop and remain stopped for a blind or visually impaired person crossing the roadway, whether in or outside the crosswalk. Point is, crosswalks are marked by lines, which the blind or visually impaired person may not be aware of, especially when in an unfamiliar area.

We also note and support penalties, but suggest that those in the bill are a bit too low, minimum \$500 or maximum \$1,000, and possible up to six months imprisonment. Please consider increasing the monetary penalties to

not less than \$1,000, and removing the stated upper limit. That would be a good start for sure, but we need the failure to stop and remained stopped to be understood as a serious offense, whereas \$500 seems a bit minor.

One note on terminology: The bill refers to "blind and visually impaired," but we suggest replacing "visually impaired," with "low vision." This is more current, and let's say more socially accepted terminology.

Mahalo for your consideration of HB2186, hoping to move it through to final passage this year.

HB-2186

Submitted on: 2/11/2026 8:06:49 PM
Testimony for TRN on 2/12/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tiara Tenorio	Individual	Support	In Person

Comments:

My name is Tiara Tenorio. I'm a House legislative aide here at the Capitol, and I took time off today to testify in support of HB 2186.

I'm here because on the night of November 2nd of last year, I was hit by a car in a crosswalk with a good friend of mine.

It was a Sunday. Before that happened, it might have been one of the best days I'd had in a while. We went on a hike. We went to the beach. We got poke after. As the day wound down, my friend and I were arm in arm, crossing the street to go home.

We were on Date Street — the one across from the golf course by the Ala Wai. It's a residential road, well lit, with two high schools nearby. I see kids walking and biking here during my commutes. Cars often speed through anyway.

We cleared the left lane and stepped into the crosswalk. Cars in the right lane were still blowing past us from a distance, so we waited in the middle of the road for someone to give us our right of way.

When we got hit, it was eerily silent. We couldn't even hear the car coming.

I remember thinking, in that moment — of course on a good day like this, you'd never expect to die.

As you can see, I'm standing here today. I'm alive. I suffered a severe concussion, a hematoma on my left leg, and my tailbone — which I'd injured before — was refractured. The first few months of healing were terrible.

My friend was not as lucky. She has grade three tears on the ligaments of her knee. She used to be one of the most active people I know — surfing, swimming, hiking, running. Today, she can't do any of those things. And she doesn't know if she ever will.

This bill is important to me because while we were dealing with our injuries — the time off work and school, the lost wages, the medical bills we never asked for — the woman who hit us faced a \$150 traffic violation. That's it. Her insurance handles the rest.

A parking ticket. Maybe a towing fee. That's what our injuries were worth under current law.

It feels like a slap in the face — because the harm doesn't match the consequence.

Now imagine it was a kid crossing. A blind individual. Your loved one. The circumstances could be so unpredictable that you might not ever see them again.

This bill creates real consequences when someone is hurt in a crosswalk. It says "stop and remain stopped." It doubles penalties in school zones. It protects blind pedestrians. And it makes seriously injuring someone in a crosswalk a felony — not a traffic ticket.

I urge you to pass HB 2186.

Thank you.