
A BILL FOR AN ACT

RELATING TO SAFE ENTRYWAYS.

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

1 SECTION 1. The legislature finds that, according to the
2 2024 point-in-time count, the number of individuals experiencing
3 homelessness on Oahu increased by about twelve per cent from
4 2023 to 2024, with unsheltered homelessness on Oahu rising by
5 one hundred ten per cent over the past twelve years. This
6 increase has resulted in more unsheltered individuals residing
7 in public spaces, especially in urban areas such as public
8 sidewalks, often in front of residential, commercial, and school
9 entrances, thereby obstructing access and creating hazards for
10 kupuna, keiki, persons with disabilities, and individuals with
11 limited mobility.

12 Maintaining clear and accessible entrances is critical to
13 protecting public safety, preserving access to essential
14 services, and ensuring that all members of the community can
15 safely enter and exit their homes, schools, and places of work.

16 The purpose of this Act is to establish, for cities with a
17 population of three hundred thousand or more, enforcement



1 procedures to prevent people or personal property from blocking
2 or otherwise impeding ingress or egress to private doorways and
3 entranceways.

4 SECTION 2. Chapter 711, Hawaii Revised Statutes, is
5 amended by adding a new section to part I to be appropriately
6 designated and to read as follows:

7 "§711- Prohibited activity at an entranceway. (1) In
8 any city with a population of three hundred thousand or more, a
9 person commits the offense of prohibited activity at an
10 entranceway, if the person intentionally, knowingly, or
11 recklessly sleeps, lies, sits, remains standing, or places
12 personal property or a combination thereof within ten feet of a
13 private doorway or entranceway of a protected location in a
14 manner that obstructs or materially interferes with ingress or
15 egress.

16 (2) Prohibited activity at an entranceway shall be a
17 violation subject to citation pursuant to subsection (4) (b).

18 (3) The prohibitions in subsection (1) shall not apply to
19 a person who is:



1 (a) Acting as authorized or allowed by state law, county
2 ordinance, or a permit or rule issued by the state or
3 a county;

4 (b) Actively waiting to enter a protected location for
5 goods or services during the location's hours of
6 operation; provided that the person and any personal
7 property do not materially interfere with ingress or
8 egress; or

9 (c) Present pursuant to verbal or written permission
10 granted by the owner, lessee, or authorized agent of
11 the protected location.

12 (4) A person in violation of this section shall remove
13 themselves and all personal property at least ten feet away from
14 the private doorway or entranceway to allow ingress or egress to
15 the private doorway or entranceway. When a person is found in
16 violation, a county law enforcement officer shall:

17 (a) Issue a verbal warning, which shall include:

18 (i) Notice that the person is in violation of this
19 section;

20 (ii) Instructions for the person to move themselves
21 and all personal property at least ten feet away



1 from the private doorway or entranceway to allow
2 ingress or egress to the private doorway or
3 entranceway; and
4 (iii) Notice that if the person is still in violation
5 of this section within one hour, it will result
6 in a citation;
7 (b) Issue an initial citation if, after one hour from
8 receipt of the verbal warning, the person continues to
9 be in violation of subsection (1); and
10 (c) Initiate the county's encampment or obstruction
11 clearance protocol, in accordance with applicable
12 county standard operating procedures, if the person
13 continues to be in violation of subsection (1) after a
14 verbal warning in accordance with paragraph (a) and a
15 reasonable opportunity to comply; provided that:
16 (i) Any personal property remaining at the location
17 may be removed as part of the clearance. The
18 status, storage, reclamation, and disposition of
19 removed property shall be governed exclusively by
20 section 171-31.5; and



1 (ii) Items that are perishable or contaminated,
2 constitute refuse, or pose an immediate threat to
3 public health or safety may be summarily disposed
4 of at the time of removal; provided further that
5 the determination shall be based on specific and
6 articulable health or safety conditions; provided
7 further that the officer shall document the basis
8 for the determination in a written report
9 prepared contemporaneously with the removal.

10 (5) County law enforcement agencies shall have authority
11 to enforce this section, including issuing warnings and
12 citations, and may effect arrests only as authorized by law.

13 (6) Complaints regarding individuals domiciling or storing
14 personal property in violation of this section shall be directed
15 primarily to county law enforcement agencies; provided that all
16 law enforcement agencies shall work collaboratively to
17 coordinate enforcement efforts and ensure effective compliance.

18 (7) This section shall supplement and shall not replace or
19 preempt any existing state or county laws, ordinances, or rules
20 prohibiting obstruction, domiciling, or unlawful storage of
21 personal property on public property adjacent to private



1 doorways or entranceways. Citations issued pursuant to this
2 section shall be in addition to any other penalties or
3 enforcement actions authorized under law.

4 (8) For purposes of this section:

5 "Private doorway or entranceway" means a door, gate, or
6 other access point that is designed or intended for pedestrian
7 ingress or egress to or from a protected location and that
8 directly abuts a public sidewalk or public way, including:

9 (a) Doorways serving residential, commercial, educational,
10 community, or religious uses;

11 (b) Doorways of vacant commercial properties that remain
12 accessible from a public sidewalk;

13 (c) Service or delivery entrances used for pedestrian
14 access; and

15 (d) Fire escape doors, emergency exits, and other
16 designated pedestrian egress points.

17 "Protected location" means a residence, business,
18 educational institution, religious institution, community
19 center, or governmental entity.

20 (9) For purposes of this section, "reasonable opportunity
21 to comply" means a period of time after a verbal warning issued



1 in accordance with subsection (4) (a), during which the person is
2 permitted to cease the specific conduct and begin relocating
3 themselves and any personal property. The determination shall
4 be based on objective circumstances, including:

- 5 (a) The volume of personal property present;
6 (b) The person's apparent physical or mental condition;
7 (c) Weather and safety conditions; and
8 (d) Whether the person is actively and measurably
9 relocating themselves or personal property."

10 SECTION 3. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 4. If any provision of this Act, or the
14 application thereof to any person or circumstance, is held
15 invalid, the invalidity does not affect other provisions or
16 applications of the Act that can be given effect without the
17 invalid provision or application, and to this end the provisions
18 of this Act are severable.

19 SECTION 5. New statutory material is underscored.

20 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Counties; Law Enforcement Officers; Private Entrances;
Obstruction

Description:

Establishes, for a city with a population greater than three hundred thousand, enforcement procedures to prevent people or personal property from blocking or otherwise impeding ingress or egress to private doorways and entrances. Effective 7/1/3000. (HD1)

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