
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that, according to the
2 annual Point in Time Count, there were over four thousand
3 individuals experiencing homelessness, with a notable twelve per
4 cent increase in homelessness on Oahu between 2023 and 2024.
5 The State's homelessness crisis continues to grow, particularly
6 on the island of Oahu, where urban Honolulu has seen an
7 increasing number of individuals residing in public spaces. One
8 area of growing concern is the use of public bus stops as
9 locations for domiciling and long-term storage of personal
10 property, transforming essential transit infrastructure into
11 areas of prolonged occupation.

12 In many instances, bus stops become obstructed by
13 accumulated belongings, displacing transit riders and forcing
14 them to stand in unsafe conditions while waiting for public
15 transportation. Kupuna, keiki, persons with disabilities, and
16 individuals with limited mobility are particularly affected, as
17 they may be unable to safely stand for extended periods or



1 navigate around obstructions. The presence of personal property
2 within bus stops also creates hazards for passengers
3 disembarking from buses, increasing the risk of falls and
4 injury.

5 The legislature finds that maintaining clear and accessible
6 bus stops is essential to ensuring public safety, preserving the
7 dignity of transit riders, and promoting equitable access to
8 transportation for all residents of the State.

9 Accordingly, the purpose of this Act is to establish, for
10 counties with a population of three hundred thousand or more,
11 enforcement procedures to prevent the domiciling or storage of
12 personal property on public property within bus stop areas
13 without the intent to utilize the public transportation
14 services.

15 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
16 by adding a new section to be appropriately designated and to
17 read as follows:

18 "§46- Safe bus stops; unlawful domiciling at bus stop
19 areas. (a) In any county with a population of three hundred
20 thousand or more, no person shall domicile or store personal



1 property on public property within a bus stop area, unless the
2 person intends to use the public transportation services.

3 (b) A person in violation of this section shall remove
4 oneself and all personal property outside of the bus stop area.

5 When a person is found in violation, a state or county law
6 enforcement officer shall:

7 (1) Issue a verbal warning, which shall include:

8 (A) Notice that the person is unlawfully domiciling
9 or storing personal property in violation of this
10 section;

11 (B) Instructions for the person to move oneself and
12 all personal property outside of the bus stop
13 area; and

14 (C) Notice that failure to make reasonable or
15 measurable efforts to comply with this subsection
16 within two hours will result in a citation;

17 (2) Issue an initial citation if, after two hours from
18 receipt of the verbal warning, the person has not made
19 reasonable or measurable efforts to comply with this
20 subsection and continues to violate subsection (a);



1 (3) Issue a second citation if, after two hours from the
2 issuance of the initial citation, the person has not
3 made reasonable or measurable efforts to comply with
4 this subsection and continues to violate subsection
5 (a); and

6 (4) Initiate the state's or county's encampment or
7 obstruction clearance protocol, in accordance with
8 applicable state or county standard operating
9 procedures, if the person continues to violate
10 subsection (a) after two hours from the issuance of
11 the second citation. If the clearance protocol is
12 initiated under this paragraph:

13 (A) The state or county law enforcement agency shall
14 make reasonable efforts to notify and coordinate
15 with homeless outreach agencies, including the
16 statewide office on homelessness and housing
17 solutions and any similar county office that
18 assists persons experiencing homelessness;

19 (B) All personal property shall be removed within one
20 hour; and



1 (C) Any remaining unclaimed property may be removed
2 and disposed of in accordance with state or
3 county procedures.

4 (c) State or county law enforcement agencies shall have
5 authority to enforce this section, including issuing warnings
6 and citations and effecting arrests as authorized by law.

7 (d) Complaints regarding individuals domiciling or storing
8 personal property in violation of this section shall be directed
9 primarily to state or county law enforcement agencies; provided
10 that all law enforcement agencies shall work collaboratively to
11 coordinate enforcement efforts and ensure effective compliance.

12 (e) This section shall supplement and shall not replace or
13 preempt any existing state or county laws, ordinances, or rules
14 prohibiting obstruction, domiciling, or unlawful storage of
15 personal property on public property within bus stop areas.

16 Citations issued pursuant to this section shall be in addition
17 to any other penalties or enforcement actions authorized under
18 law.

19 (f) State or county law enforcement officers shall not
20 presume an immediate violation and shall make reasonable, polite
21 inquiries when responding to complaints or suspected violations.



1 At each stage of enforcement, officers shall assess whether the
2 person is making reasonable efforts to comply, recognizing that
3 some persons may require additional time to safely remove
4 personal belongings.

5 (g) For purposes of this section:

6 "Bus stop" means any place at which the county
7 transportation authority has directed the placement of a bus
8 stop sign designating the location where public bus service
9 stops to service passengers.

10 "Bus stop area" means the area at a bus stop occupying:

11 (1) The entire width of the sidewalk that extends twenty
12 feet before and after a bus stop sign or bus stop
13 route sign; or

14 (2) For bus stops furnished with a shelter, the footprint
15 of the shelter, and the entire width of the sidewalk
16 that extends twenty feet before and twenty feet after
17 the footprint of the shelter,

18 and any area extending away from the street within twenty feet
19 of a bus stop sign or the footprint of the shelter.



1 "Footprint of a shelter" means the vertical planes,
2 perpendicular to the ground, extending down from the outermost
3 edges of the shelter overhang or roof."

4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

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

13 SECTION 5. New statutory material is underscored.

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



Report Title:

Counties; State; Law Enforcement Officers; Bus Stop Areas

Description:

Establishes, for a county with a population greater than three hundred thousand, enforcement procedures to prevent domiciling or storing of personal property on public property within a bus stop area, if a person does not intend to use the public transportation services. Effective 7/1/3000. (HD1)

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

