

ACT 10

S.B. NO. 1191

A Bill for an Act Relating to Pedestrian Safety.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The 2004 ‘‘Elderly Pedestrian Integration Report’’ prepared by SMS Research & Marketing Services, Inc., for the department of transportation indicated that there are approximately five hundred sixty pedestrian injuries in Hawaii each year and that an average of twenty-eight pedestrians die each year after being struck by a car. Elderly pedestrians, age sixty-five and older, constituted the highest number of pedestrian fatalities when compared to all other age groups in Hawaii.

The length of a flashing indication (hand symbol) is calculated based on the length of the crosswalk and the nationally recognized average walking speed of pedestrians.

However, elderly pedestrians need more time to cross major intersections due to diminishing physical abilities. Considering that an elderly pedestrian generally crosses the street at a slower walking speed, limited timeframes to cross the street put elderly pedestrians at risk.

Recently, AARP Hawaii staff, volunteers, and community partners gathered at intersections across Hawaii to conduct ‘‘walkability’’ assessments along many of Hawaii’s busiest streets and identified many intersections where the timeframes to safely cross the street were too short. Hawaii’s elderly pedestrians should not have to rush to cross the street. The length of a flashing signal should be sufficient for elderly pedestrians to safely cross the street.

While the elderly, children, and disabled persons are the most vulnerable, others are also at risk. Already in 2007, eleven pedestrians have been killed. At the current rate, 2007 could be one of the most dangerous years ever for pedestrians in Hawaii. Immediate action is necessary.

The purpose of this measure is to appropriate funds to the department of transportation to work with nonprofit organizations and the counties to take steps for immediate action to make crosswalks and roadways safer.

Making Hawaii's roadways safer for pedestrians is consistent with Kamehameha's famous law, Ke Kanawai Mamalahoe, the Law of the Splintered Paddle, which assures that every man, woman, and child is able to travel freely and in peace. This law is established as state law in article IX, section 10, of the Hawaii State Constitution:

"Let every elderly person, woman and child lie by the roadside in safety – shall be a unique and living symbol of the State's concern for public safety."

SECTION 2. The department of transportation shall work with the counties and nonprofit organizations such as the AARP in implementing improvements – which do not require extensive studies – to make crosswalks and roadways safer for pedestrians, with priority to high-risk areas, including but not limited to:

- (1) Recalibrating traffic signals to lengthen crossing times;
- (2) Accelerating the schedule to replace non-timer crossing signals with traffic countdown timers;
- (3) Strategically reprioritizing installation of traffic countdown timers based on how dangerous the intersection ranks based on available data, including the recent AARP Hawaii study;
- (4) Developing a statewide public awareness campaign;
- (5) Implementing pilot projects using such strategies as pedestrian-activated flashing signals, in-pavement warning lights, and portable hand-carried signs and flags, and advanced crosswalk markers; and
- (6) Enforcement of crosswalk laws for cars and pedestrians.

SECTION 3. There is appropriated out of the state highway fund the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 for the department of transportation to work with the counties and nonprofit organizations to identify and implement improvements, which do not require extensive studies to make crosswalks and roadways safer to pedestrians.

Of the total sum of \$3,000,000 in both fiscal years:

- (1) The sum of \$900,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 shall be expended by the department of transportation for purposes of section 2 of this Act; and
- (2) The sum of \$600,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 shall be disbursed as grants-in-aid to the counties for the purchase and installation of traffic countdown timers at county-controlled intersections and other pedestrian safety improvements; provided that no funds shall be released to a county unless that county matches the appropriation on a one-to-one basis. The appropriation to each county for each fiscal year shall be as follows:

(A) City and county of Honolulu	\$300,000
(B) Hawaii county	\$150,000
(C) Kauai county	\$ 75,000
(D) Maui county	\$ 75,000

The sums appropriated shall be expended by the respective counties for the purposes of this section.

SECTION 4. The department of transportation shall submit an interim report to the legislature not later than twenty days prior to the convening of the regular session of 2008 and a final report, including accomplishments, findings, future plans, cost estimates, and any proposed legislation relating to pedestrian safety improvements, to the legislature not later than twenty days prior to the convening of the 2009 regular session.

SECTION 5. This Act shall take effect on July 1, 2007.

(Vetoed by Governor and veto overridden by Legislature on July 10, 2007.)