
A BILL FOR AN ACT **VETO OVERRIDE**

RELATING TO PEDESTRIAN SAFETY.

ACT No. 10
Approved: [Signature]
Dated: July 10, 2007

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

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

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

13 However, elderly pedestrians need more time to cross major
14 intersections due to diminishing physical abilities.

15 Considering that an elderly pedestrian generally crosses the
16 street at a slower walking speed, limited timeframes to cross
17 the street put elderly pedestrians at risk.



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

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

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

18 Making Hawaii's roadways safer for pedestrians is
19 consistent with Kamehameha's famous law, Ke Kanawai Mamalahoe,
20 the Law of the Splintered Paddle, which assures that every man,
21 woman, and child is able to travel freely and in peace. This



1 law is established as state law in article IX, section 10, of
2 the Hawaii State Constitution:

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

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

- 11 (1) Recalibrating traffic signals to lengthen crossing
12 times;
- 13 (2) Accelerating the schedule to replace non-timer
14 crossing signals with traffic countdown timers;
- 15 (3) Strategically reprioritizing installation of traffic
16 countdown timers based on how dangerous the
17 intersection ranks based on available data, including
18 the recent AARP Hawaii study;
- 19 (4) Developing a statewide public awareness campaign;
- 20 (5) Implementing pilot projects using such strategies as
21 pedestrian-activated flashing signals, in-pavement



1 warning lights, and portable hand-carried signs and
2 flags, and advanced crosswalk markers; and
3 (6) Enforcement of crosswalk laws for cars and
4 pedestrians.

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

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

14 (1) The sum of \$900,000 or so much thereof as may be
15 necessary for fiscal year 2007-2008 and the same sum
16 or so much thereof as may be necessary for fiscal year
17 2008-2009 shall be expended by the department of
18 transportation for purposes of section 2 of this Act;
19 and

20 (2) The sum of \$600,000 or so much thereof as may be
21 necessary for fiscal year 2007-2008 and the same sum
22 or so much thereof as may be necessary for fiscal year



1 2008-2009 shall be disbursed as grants-in-aid to the
2 counties for the purchase and installation of traffic
3 countdown timers at county-controlled intersections
4 and other pedestrian safety improvements; provided
5 that no funds shall be released to a county unless
6 that county matches the appropriation on a one-to-one
7 basis. The appropriation to each county for each
8 fiscal year shall be as follows:

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

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

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



1 than twenty days prior to the convening of the 2009 regular
2 session.

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

