

STAND. COM. REP. NO.

2312

Honolulu, Hawaii

FEB 17

, 2006

RE: S.B. No. 2385
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Transportation and Government Operations,
to which was referred S.B. No. 2385 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to increase the penalties for
motorists who violate Hawaii's crosswalk law.

Your Committee received testimony in support of this measure
from the Department of Transportation (DOT), the Department of
Health, and the Honolulu Police Department. Testimony in
opposition was received from the Public Defender.

Act 73, Session Laws of Hawaii 2005, amended the crosswalk
law to clarify when a motorist has a duty to come to a complete
stop for a pedestrian in a crosswalk. However, according to a
November 13, 2005 article in the *Honolulu Advertiser*, despite a
highly publicized new law to protect pedestrians, the number of
people killed in crosswalks has increased forty-three percent this
year and the State could have its highest number of pedestrian
traffic deaths in five years.

According to testimony of the DOT, pedestrian fatalities
continue to be a problem in Hawaii. From 1999 to 2004, there were
a total of 171 pedestrian fatalities statewide. At the time of
these accidents, 37 fatalities or 21.6 percent of the total number
of pedestrian fatalities occurred in crosswalks. In the 2005
calendar year, 36 fatalities or 25.5 percent of our total traffic

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fatalities were pedestrians. Thirteen of the 36 fatalities or 36.1 percent were within crosswalks at the time of the accident.

Your Committee finds that the crosswalk law needs to be strengthened by enhanced penalties as a deterrent and punishment to drivers who do not stop for pedestrians. This measure provides penalties as follows:

- (1) For a first conviction, a fine of not less than \$150 and revocation of license and privilege to operate a vehicle for a period not less than ninety days;
- (2) For a second conviction, a fine of not less than \$300 and revocation of license and privilege to operate a vehicle for a period not less than one-hundred and eighty days; and
- (3) For a third or subsequent conviction, committed within one year of the date of the second offense, a fine of not less than \$1000, revocation of license and privilege to operate a vehicle for a period of one year, and thirty days imprisonment.

Your Committee has amended this measure by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2385, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Government Operations,


LORRAINE R. INOUE, Chair



