

HCR 43

NEIL AMBERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
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IN REPLY REFER TO:

April 13, 2011

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE CONCURRENT RESOLUTION NO. 43

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

House Concurrent Resolution No. 43 supports the education of Hawaii's drivers regarding their responsibilities to blind pedestrians.

The Department of Transportation (DOT) supports the intent of the resolution to increase the safety of all pedestrians, by educating Hawaii's drivers regarding their responsibilities.

The DOT will continue to educate drivers about Hawaii's pedestrian laws and pedestrians about safe walking tips through our Walk Wise Hawaii program.

NEIL ABERCROMBIE
GOVERNOR



PATRICIA MCMANAMAN
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STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

April 13, 2011

MEMORANDUM:

TO: Honorable J. Kalani English, Chair
Committee on Transportation and International Affairs

Honorable Will Espero, Chair
Committee on Public Safety, Government Operations, and Military
Affairs

SUBJECT: **H.C.R. 43 - REQUESTING THE LEGISLATURE TO SUPPORT THE
EDUCATION OF HAWAII'S DRIVERS REGARDING THEIR
RESPONSIBILITIES TO BLIND PEDESTRIANS**

Hearing: Wednesday, April 13, 2011, 1:16 p.m.
Conference Room 224, State Capitol

PURPOSE: The purpose of this resolution is to express strong support for the education of Hawaii's drivers regarding their responsibilities to blind pedestrians.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this resolution.

Independent travel using non-visual techniques is severely challenged with the introduction of the quiet hybrid cars. DHS programs that instruct our blind and visually impaired clients to use the non-visual techniques effectively, would be supported by the education of Hawaii's drivers as requested in this concurrent resolution. The Department's Vocational Rehabilitation and Services for the Blind Division programs support the full integration of the blind into society. Independent mobility and orientation

is essential to their quality of life as they participate in vocational training, higher education and ultimately, employment in our community.

Without independent orientation and mobility skills and the education of Hawaii's drivers, our blind clients' ability to get to school and work will be limited resulting in a reduced quality life.

We thank you for this opportunity to submit our support and testimony.

Sharon Lum HS

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, April 09, 2011 12:53 PM
To: TIATestimony
Cc: sharpersenses@hawaii.rr.com
Subject: Testimony for HCR43 on 4/13/2011 1:16:00 PM

Testimony for TIA/PGM 4/13/2011 1:16:00 PM HCR43

Conference room: 224
Testifier position: support
Testifier will be present: Yes
Submitted by: Yolanda Phelan
Organization: Individual
Address:
Phone:
E-mail: sharpersenses@hawaii.rr.com
Submitted on: 4/9/2011

Comments:
Senate Committee
Transportation and International Affairs Testimony in Support of HCR 43

Date: 04/13/11

Thank you Chair Senator J. Kalani English and committee members for scheduling this hearing

Thank you for the opportunity to tell you that I am in strong support of
HCR- 43

My name is Yolanda Phelan,
I am a member of the Hawaii Association of the Blind.
I am here today testifying as an individual.

Because I am a independent blind person who uses sidewalks and crosses intersections where there are light signals, stop signs, cross walks that are marked or not marked.

It has been my experience that drivers in the state of Hawaii lack education regarding blind pedestrians.
Act Sec 75 - 72 action was not taken as promised by the Police Department to emphasize in detail safety for Blind and visually impaired pedestrians in the State of Hawaii Drivers Manual.

It has been on numerous occasions that cars do not give blind persons the right of way to cross the street, Instead as soon as the light turns green they proceed and make a right turn with no regards to the safety of a blind person preparing to cross the street.

EXAMPLE:

I have had to wait on several occasions for the light signal to go through another cycle because several cars are waiting to turn right and once one turns the rest follow.

Another situation is when I am crossing a intersection a car will stop in the middle of the cross walk which forces me to walk around their car outside the marked area and walking and into the field of traffic.

Sometimes drivers honk their horn and I am trying to focus on the traffic around me and I have no idea who they are honking at.

Sometimes they honk and yell you have a pretty dog there. Or "you can go now". This is distracting not only to me but my Guide Dog as well.

I have almost crossed in front of a hybrid car when my Guide Dog pulled back as the car made a right turn just as we started to cross. I did not hear the vehicle. These drivers need to be aware that we use sound as a guide when it is safe to cross. They also need to be aware that when a blind person positions their cane in the direction to cross the street that they should give them the right of way.

Another occasion was in a parking lot I was in the middle of a cross walk in the Kahala shopping center when out of no where a silent car drove right in front of us and my Guide pulled me back to avoid getting run over.

I have a friend who was crossing the street and a car ran over his cane it went flying and he had no idea which way it went. He then had to Braille his way home by asking questions of strangers to help direct him.

I recommend that a stronger emphasis be made regarding blind pedestrians in the Hawaii State Drivers manual and that the Driver Education Instructors be trained how to instruct students who are taking the Drivers Education training classes at schools.

I suggest these trainers seek input from members from the blind community such as the Hawaii Association of the Blind.

Recommendations that a stronger emphasis be made regarding blind pedestrians in the Hawaii State Drivers Manual Responsibilities of drivers need to be more specific instead of denoting such a cavaliers approach.

The drivers test must include specific questions to ensure they understand the importance of their responsibilities.

Thank you for giving me the opportunity to give testimony.

With Respect,

Yolanda Phelan

Contact Info:

sharpersenses@hawaii.rr.com

Baron Lum Ho

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, April 09, 2011 12:36 PM
To: TIATestimony
Cc: sixsense@hawaii.rr.com
Subject: Testimony for HCR43 on 4/13/2011 1:16:00 PM

Testimony for TIA/PGM 4/13/2011 1:16:00 PM HCR43

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Art Cabanilla
Organization: Individual
Address:
Phone:
E-mail: sixsense@hawaii.rr.com
Submitted on: 4/9/2011

Comments:
Transportation and International Affairs Testimony in Support of HCR 43

Date: 04/13/11

Thank you Chair Senator J. Kalani English and committee members for scheduling this hearing

Testimony

My name is Art Cabanilla,
I am a member of the Hawaii Association of the Blind and wish to submit independent written testimony regarding SR 20.

As a blind independent traveler, I often am faced with the challenges of crossing intersections to get to my destination. Most of these intersections do have a light signal or stop sign to aid me in my travels. But, often times the cross walks themselves are not marked clearly or have become faded over time and difficult to make out.

It is here where my safety and the safety for other blind folks is distressing and concerning for those traveling with cane or guide dogs. In the past, I have experienced times where, drivers appear to lack the education regarding blind pedestrians and what to do when a driver approaches a person with a cane or Guide dog.

I have experienced myself and heard numerous times again and again where; cars do not give blind persons the right of way when they are attempting to cross a street. Instead as soon as the light turns green they proceed and make a right turn with no regards to the safety of the blind person who is wanting to cross the street.

Not knowing weather a driver will yield to allow you to cross is nerve racking for most. This is so because, several cars may be waiting to turn right and once the first one turns

the rest follow. So, we are forced to wait for the light signal to go through several cycles before we are certain of when to cross.

Another example is when a car approaches the intersection and stops in the middle of the cross walk. This forces me to walk around their car outside the marked area and places me in to the field of traffic which also puts me in harms way of said traffic.

Unsuspecting noises like the honking of a horn is also unnerving to me when crossing the street. As the unsuspecting sound of a horn being blown startles me in to thinking that, it was meant for me and that, something bad is about to happen. They also sometimes would try and be helpful by yelling out aloud, "you can go now". Unfortunately, this to can be distracting for me. Because, I am focused on listening to the traffic around me and although they mean well, it startles me instead.

The issue of hybrid cars are just another reason educating drivers of blind pedestrians is important. Since we rely heavily on our hearing to help guide us, these silent vehicles are unseen to the average blind person. Therefore, an on-coming vehicle wishing to turn right often becomes a surprise to us. Because, we have to deal with ambient traffic sounds all at once, it makes this type of vehicle invisible to us leading us to believe it is safe to cross. Thus, driver awareness is essential to our safety. Drivers should be aware that, when a blind person positions their cane in the direction to cross the street that they should give Them the right of away.

From this testimony, I hope that, a stronger emphasis within the drivers examination is made regarding awareness to blind pedestrians and that the Hawaii State Driver examiners be made aware of this addition to the examination.

It is my recommendation that, when assurances to this affect are to be made, input from members of the blind community is included. As we are the ones who will directly be affected by these changes.

Thank you for giving me the opportunity to submit written testimony.

Art Cabanilla

Sharon Lu n Ho

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, April 09, 2011 12:16 PM
To: TIATestimony
Cc: thomsond@hawaii.edu
Subject: Testimony for HCR43 on 4/13/2011 1:16:00 PM

Testimony for TIA/PGM 4/13/2011 1:16:00 PM HCR43

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Don Thomson
Organization: Hawaii Association of the Blind
Address:
Phone:
E-mail: thomsond@hawaii.edu
Submitted on: 4/9/2011

Comments:
Transportation and International Affairs Testimony in Support of HCR 43

Date: 04/13/11

Don Thomson, Legislative Chair Hawaii Association of the Blind

The sole purpose of HCR43 is to implement already existing law. Act 75, 1972 clearly outlined the responsibilities of drivers towards blind pedestrians. The driver has responsibilities toward blind pedestrians who are identifiable by a white cane or a Guide Dog.

The driver has no more responsibility toward any blind person who is not identifiable as blind then he or she would for a normally sighted person. It has been argued by some people that if we benefit the blind by such a resolution, what about other disabilities.

It would be totally inappropriate and pointless to create a resolution about other disabilities sense there is no specific law describing other responsibilities of the drivers toward any other disable group.

We do not in any way oppose legislation for other disable groups, but as I said before Other groups should not be mention in this resolution.

We are asking that all drivers test in this state include at least one question on all drivers written examinations. Just for the record it quite common all over the nation that questions involving blind pedestrians are included in drivers test.

I have become aware that the traffic code is almost flippant regarding blind pedestrians, and we would hope that the state transportation department would improve it's statement in the traffic code on the subject.

For your information a similar resolution was introduced in the Senate in the nineties and a hearing was heard.

The police department testified and promised to include a question on the drivers test regarding blind pedestrians. as a result the resolution was held in committee with our approval. The Police Department did not keep it's promise.

It was never our intent to include anything about last years resolution in this one. However the House Committee choose to pass the resolution as is to save time even tho we recommended that the patericlular Where As be amended.

Many Blind People have complained that drivers do not seem to be aware of the Law regarding Blind Pedestrians in this state, a fault which lies directrly at the door step of those responsible of education regarding blind pedestrians.
Please pass this resolution, and I thank you in advance.