
A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1 SECTION 1. Section 707-700, Hawaii Revised Statutes, is
2 amended by adding three new definitions to be appropriately
3 inserted and to read as follows:

4 "Public highway" shall have the same meaning as in section
5 264-1.

6 "Street" shall have the same meaning as in section 291C-1.

7 "Vulnerable user" means:

8 (1) A pedestrian legally within a street or public
9 highway;

10 (2) A roadway worker actually engaged in work upon a
11 street or public highway or in work upon utility
12 facilities along a street or public highway, or
13 engaged in the provision of emergency services within
14 a street or public highway, including but not limited
15 to:

16 (A) Construction and maintenance workers; and

17 (B) Police, fire, and other emergency responders; or



- 1 (3) A person legally operating any of the following within
- 2 the street or public highway:
- 3 (A) A bicycle;
- 4 (B) A moped;
- 5 (C) An electric personal assistive mobility device;
- 6 or
- 7 (D) A wheelchair conveyance or other personal
- 8 mobility device."

9 SECTION 2. Section 707-702.5, Hawaii Revised Statutes, is
10 amended by amending subsection (1) to read as follows:

11 "(1) A person [~~is guilty of~~] commits the offense of
12 negligent homicide in the first degree if that person causes the
13 death of [~~another~~]:

- 14 (a) Another person by the operation of a vehicle in a
15 negligent manner while under the influence of drugs or
16 alcohol[-]; or
- 17 (b) A vulnerable user by the operation of a vehicle in a
18 negligent manner."

19 SECTION 3. Section 707-703, Hawaii Revised Statutes, is
20 amended by amending subsection (1) to read as follows:



1 "(1) A person [~~is guilty of~~] commits the offense of
2 negligent homicide in the second degree if that person causes
3 the death of [~~another~~]:

4 (a) Another person by the operation of a vehicle in a
5 negligent manner[-]; or

6 (b) A vulnerable user by the operation of a vehicle in a
7 manner that constitutes simple negligence."

8 SECTION 4. Section 707-705, Hawaii Revised Statutes, is
9 amended by amending subsection (1) to read as follows:

10 "(1) A person [~~is guilty of~~] commits the offense of
11 negligent injury in the first degree if that person causes
12 [~~serious~~]:

13 (a) Serious bodily injury to another person by the
14 operation of a motor vehicle in a negligent manner[-];
15 or

16 (b) Substantial bodily injury to a vulnerable user by the
17 operation of a motor vehicle in a negligent manner."

18 SECTION 5. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.

21 SECTION 6. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Highway Safety; Negligent Homicide; Negligent Injury

Description:

Amends penalties for negligent homicide in the first degree, negligent homicide in the second degree, and negligent injury in the first degree when the incident involves a vulnerable highway user. Adds definitions. (SD1)

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

