
A BILL FOR AN ACT

RELATING TO CROSSWALK SAFETY.

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

1 SECTION 1. The legislature finds that confusion exists as
2 to when a vehicle must yield the right-of-way to a pedestrian
3 who plans to cross or is crossing a roadway, particularly with
4 regard to when a pedestrian is considered to be within an
5 intersection or adjacent crosswalk.

6 The legislature also finds that section 291C-33, Hawaii
7 Revised Statutes, relating to pedestrian-control signals, was
8 last amended in 1981. This section needs to be updated to
9 include countdown timers and to clarify when a pedestrian is
10 allowed to cross when the countdown timer is operating.
11 Countdown timers show pedestrians how many seconds are left to
12 cross the street before the pedestrian signal changes from a
13 flashing "Don't Walk" to a steady "Don't Walk" or upraised palm
14 indication.

15 The purpose of this measure is to clarify:

16 (1) The requirement that a driver of a motor vehicle yield
17 to a pedestrian by specifying when a pedestrian is



1 considered to be within an intersection or adjacent
2 crosswalk; and

3 (2) When pedestrians may enter a crosswalk equipped with a
4 countdown timer.

5 SECTION 2. Section 291C-32, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§291C-32 Traffic-control signal legend. (a) Whenever
8 traffic is controlled by traffic-control signals exhibiting
9 different colored lights, or colored lighted arrows,
10 successively one at a time or in combination, only the colors
11 green, red, and yellow shall be used, except for special
12 pedestrian signals carrying a word or symbol legend, and the
13 lights shall indicate and apply to drivers of vehicles and
14 pedestrians as follows:

15 (1) Green indication:

16 (A) Vehicular traffic facing a circular green signal
17 may proceed straight through or turn right or
18 left unless a sign at the place prohibits either
19 such turn. But vehicular traffic, including
20 vehicles turning right or left, shall yield the
21 right-of-way to other vehicles and to pedestrians



1 lawfully within the intersection or an adjacent
2 crosswalk at the time such signal is exhibited.

3 (B) Vehicular traffic facing a green arrow signal,
4 shown alone or in combination with another
5 indication, may cautiously enter the intersection
6 only to make the movement indicated by such
7 arrow, or such other movement as is permitted by
8 other indications shown at the same time. Such
9 vehicular traffic shall yield the right-of-way to
10 pedestrians lawfully within an adjacent crosswalk
11 and to other traffic lawfully using the
12 intersection.

13 (C) Unless otherwise directed by a pedestrian-control
14 signal, as provided in section 291C-33,
15 pedestrians facing any green signal, except when
16 the sole green signal is a turn arrow, may
17 proceed across the roadway within any marked or
18 unmarked crosswalk.

19 (2) Steady yellow indication:

20 (A) Vehicular traffic facing a steady yellow signal
21 is thereby warned that the related green movement



1 is being terminated or that a red indication will
2 be exhibited immediately thereafter when
3 vehicular traffic shall not enter the
4 intersection.

5 (B) Pedestrians facing a steady yellow signal, unless
6 otherwise directed by a pedestrian-control signal
7 as provided in section 291C-33, are thereby
8 advised that there is insufficient time to cross
9 the roadway before a red indication is shown and
10 no pedestrian shall then start to cross the
11 roadway.

12 (3) Steady red indication:

13 (A) Vehicular traffic facing a steady red signal
14 alone shall stop at a clearly marked stop line,
15 but if none, before entering the crosswalk on the
16 near side of the intersection or, if none, then
17 before entering the intersection and shall remain
18 standing until an indication to proceed is shown,
19 except as provided in the next succeeding
20 paragraphs.



1 (B) The driver of a vehicle which is stopped in
2 obedience to a steady red indication may make a
3 right turn but shall yield the right-of-way to
4 pedestrians and other traffic proceeding as
5 directed by the signal at said intersection,
6 except that counties by ordinance may prohibit
7 any such right turn against a steady red
8 indication, which ordinance shall be effective
9 when a sign is erected at such intersection
10 giving notice thereof.

11 (C) The driver of a vehicle on a one-way street which
12 intersects another one-way street on which
13 traffic moves to the left shall stop in obedience
14 to a steady red indication but may then make a
15 left turn into said one-way street, but shall
16 yield right-of-way to pedestrians, proceeding as
17 directed by the signal at said intersection
18 except that counties by ordinance may prohibit
19 any such left turn as above described which
20 ordinance shall be effective when a sign is



1 erected at such intersection giving notice
2 thereof.

3 (D) Unless otherwise directed by a pedestrian-control
4 signal as provided in section 291C-33,
5 pedestrians facing a steady red signal alone
6 shall not enter the roadway.

7 (b) In the event an official traffic-control signal is
8 erected and maintained at a place other than an intersection,
9 the provisions of this section shall be applicable except as to
10 those provisions which by their nature can have no application.
11 Any stop required shall be made at a sign or marking on the
12 pavement indicating where the stop shall be made, but in the
13 absence of any such sign or marking the stop shall be made at
14 the signal.

15 (c) As used in this section, a pedestrian is lawfully
16 within an intersection or adjacent crosswalk when any part or
17 extension of the pedestrian, including any part of the
18 pedestrian's body, wheelchair, cane crutch, or bicycle, is
19 beyond the curb or the edges of the traversable roadway or moves
20 onto the roadway within an intersection or crosswalk."



1 SECTION 3. Section 291C-33, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§291C-33 Pedestrian-control signals. Whenever special
4 pedestrian-control signals, exhibiting the ~~[words]~~ word "Walk"
5 or the symbol of a walking person; the words "Don't Walk" or the
6 ~~[symbols]~~ symbol of ~~[a walking person or]~~ an upraised palm; or a
7 countdown timer are in place ~~[such]~~, these signals shall
8 indicate as follows:

9 (1) Walk or Walking Person. Pedestrians facing ~~[such]~~ the
10 signal may proceed across the roadway in the direction
11 of the signal and shall be given the right-of-way by
12 the drivers of all vehicles~~[-]~~ ;

13 (2) Don't Walk or Upraised Palm. No pedestrian shall
14 start to cross the roadway in the direction of ~~[such]~~
15 the signal, whether flashing or steady, but any
16 pedestrian who has partially completed the
17 pedestrian's crossing on the Walk or Walking Person
18 signal shall complete the crossing to a sidewalk or
19 safety island while the Don't Walk or Upraised Palm
20 signal is showing~~[-]~~ ; and



1 (3) Countdown timer. If the pedestrian-control signal is
 2 equipped with a countdown timer, no pedestrian shall
 3 start to cross the roadway in the direction of the
 4 signal when the countdown timer begins operating, but
 5 any pedestrian who has partially completed the
 6 pedestrian's crossing when the countdown timer begins
 7 operating shall complete the crossing to a sidewalk or
 8 safety island while the countdown timer is operating."

9 SECTION 4. Section 291C-72, Hawaii Revised Statutes, is
 10 amended by amending subsection (a) to read as follows:

11 "(a). The driver of a vehicle shall stop for a pedestrian
 12 who is crossing the roadway within a crosswalk when the
 13 pedestrian is either:

14 (1) Upon the half of the roadway upon which the vehicle is
 15 traveling; or

16 (2) Approaching the vehicle so closely from the opposite
 17 half of the roadway as to be in danger,

18 and shall not proceed until the pedestrian has passed the
 19 vehicle and the driver can safely proceed.

20 As used in this section, a pedestrian is crossing the
 21 roadway within a crosswalk when any part or extension of the



1 pedestrian, including any part of the pedestrian's body,
2 wheelchair, cane, crutch, or bicycle, is beyond the curb or the
3 edges of the traversable roadway within a crosswalk with the
4 intent to proceed."

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

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



Report Title:

Crosswalk Safety; Pedestrians; Countdown Timers

Description:

Clarifies when the driver of a vehicle must yield for a pedestrian crossing the roadway. Clarifies when pedestrians may enter a crosswalk equipped with a countdown timer. (HB32 CD1)

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