
A BILL FOR AN ACT

RELATING TO BLIND PEDESTRIAN SAFETY.

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

- 1 SECTION 1. Section 286-108, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
- 3 "(a) Except as provided in section 286-107.5(a), the
4 examiner of drivers shall examine every applicant for a driver's
5 license, except as otherwise provided in this part. The
6 examination shall include a test of:
- 7 (1) The applicant's eyesight and any further physical
8 examination that the examiner of drivers finds
9 necessary to determine the applicant's fitness to
10 operate a motor vehicle safely upon the highways;
- 11 (2) The applicant's ability to understand highway signs
12 regulating, warning, and directing traffic;
- 13 (3) The applicant's knowledge of the rules of the road
14 based on the traffic laws of the State and the traffic
15 ordinances of the county where the applicant resides
16 or intends to operate a motor vehicle; provided that
17 the examination shall specifically test the



1 applicant's knowledge of the provisions of section
2 291C-121.5, [~~and~~] section 291C-137, and section 291C-
3 74(b); and

4 (4) The actual demonstration of ability to exercise
5 ordinary and reasonable control in the operation of a
6 motor vehicle.

7 The examinations shall be appropriate to the operation of the
8 category of motor vehicle for which the applicant seeks to be
9 licensed and shall be conducted as required by the director.

10 The examiner of drivers shall require every applicant to
11 comply with section 286-102.5.

12 The examiner of drivers may waive the actual demonstration
13 of ability to operate a motorcycle or motor scooter for any
14 person who furnishes evidence, to the satisfaction of the
15 examiner of drivers, that the person has completed the
16 motorcycle education course approved by the director in
17 accordance with section 431:10G-104.

18 At the time of examination, an application for voter
19 registration by mail shall be made available to every applicant
20 for a driver's license.



1 For the purposes of this section, the term "applicant" does
2 not include any person reactivating a license under section
3 286-107.5(a)."

4 SECTION 2. Section 291C-74, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "~~§~~291C-74~~§~~ Drivers to exercise due care. (a)
7 Notwithstanding other provisions of this chapter, every driver
8 of a vehicle shall exercise due care to avoid colliding with any
9 pedestrian upon any roadway and shall give warning by sounding
10 the driver's horn when necessary and shall exercise proper
11 precaution upon observing any child or any obviously confused or
12 incapacitated person upon a roadway.

13 (b) Every driver of a vehicle shall exercise due care
14 toward pedestrians who are blind or visually handicapped to
15 ensure the safety of blind or visually impaired pedestrians on
16 any roadway."

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



H.B. NO. 1008

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 27 2015



H.B. NO. 1008

Report Title:

Blind Pedestrians; Safety

Description:

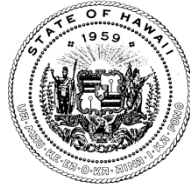
Requires drivers of vehicles to exercise due care to ensure the safety of blind or visually handicapped on any roadway.

Requires the examination for a driver's license to test the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians.

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



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IN REPLY REFER TO:

February 11, 2015
10:00 a.m.
State Capitol, Room 309

H.B. 1008
RELATING TO BLIND PEDESTRIAN SAFETY

House Committee on Transportation

The Department of Transportation (DOT) has **no position** on H.B. 1008 relating to blind pedestrian safety, but would like to provide the following comments. This measure requires the examination for a driver's license to test the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians and further requires drivers of vehicles to exercise due care to ensure the safety of blind or visually impaired pedestrians.

The examination that tests the applicant's knowledge of the "rules of the road" is based on the traffic laws of the State and the traffic ordinances of the county where the resident resides or intends to operate a motor vehicle. It already tests the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians.

Thank you for the opportunity to provide testimony.

THE TWENTY-EIGHTH LEGISLATURE
2015
HOUSE OF REPRESENTATIVES

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Support of Bill HB 1008

Strong support of HB 1008

Yolanda Phelan and Don Thomson
represent the Hawaii Association of the Blind

The Hawaii Association of the Blind strongly believe that at least one question regarding blind pedestrians must be included in all drivers tests in the state; that responsibilities toward blind pedestrians must be a part of driver's education; and that the driver's training manual must have a more complete explanation of the responsibilities of drivers toward blind pedestrians.

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

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

The police department spokesman testified that the department would cooperate with the intent of the resolution thus the resolution was held in committee.

Sense nothing was done about the matter the Hawaii Association of the blind caused the resolution to be introduced two years ago, it was

Passed by both house of legislature without going into detail we received little corporation in the enforcement of the resolution.

Therefore we find it necessary to come back to you to handle the matter.

It has been our experience that drivers in the state of Hawaii lack education regarding blind pedestrians.

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:

We often 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 we crossing an intersection a car will stop in the middle of the cross walk which forces us to walk around their car outside the marked area and forces us to walk into the field of traffic.

Sometimes drivers honk their horn and we are trying to focus on the traffic around us and we 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 the person but to the Guide Dog as well.

The department of transportation and others in authority are not taking into consideration that there are elderly blind and others who are not good traveler because of lack of training or who may have multiple disabilities who may be crossing in the middle of the block or in other inadvisable places.

These people have the right of way as long as they are properly identified by a guide dog or a cane.

HYBRED CARS

These drivers need to be educated that blind people use sound to cross the street and need to be aware that blind people cannot hear their car running and might think it is ok to cross.

One of our members 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.

Just five weeks ago a blind pedestrian was hit while crossing in the cross walk on University Avenue and King street

It is known that blind persons have been hit on Kuakinni near Nuuanno.

Recommendations that a stronger emphasis be made regarding blind pedestrians in the Hawaii State Training Drivers Manual

Responsibilities of drivers need to be more specific.

In the Hawaii State Drivers training manual and that the Driver Education Instructors be trained how to instruct students who are taking the Drivers Education training classes at schools. We suggest the trainers seek input from members from the blind community such as the Hawaii Association of the Blind.

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