

Honolulu, Hawaii

APR 04 2018

RE: S.R. No. 135
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Transportation and Energy, to which was referred S.R. No. 135 entitled:

"SENATE RESOLUTION REQUESTING THAT PARTICIPANTS IN PUBLIC DEMONSTRATIONS OTHER THAN RECOGNIZED EVENTS SUCH AS MARATHONS AND PARADES FOLLOW TRAFFIC LAWS WHEN CROSSING STREETS,"

begs leave to report as follows:

The purpose and intent of this measure is to keep motorists and participants in marches, rallies, and public demonstrations safe, by:

- (1) Requesting demonstrators to follow traffic laws and public safety ordinances when crossing streets; and
- (2) Urging law enforcement to consider the safety and convenience of demonstrators and motorists.

Your Committee did not receive any testimony on this measure.

Your Committee finds that public demonstrations have played a significant role in shaping the United States. However, while such demonstrations are protected by the Constitution, the right to peaceably assemble is not absolute; restrictions can be placed on the time, place, and manner of peaceable assembly in order to keep the community safe. This measure emphasizes the need to balance the rights of demonstrators and the safety and security of



the public by requesting demonstrators to be mindful of traffic laws and public safety ordinances and law enforcement to consider the well-being of demonstrators and motorists. Your Committee notes that a recent demonstration with a significant number of demonstrators resulted in traffic congestion when a stream of demonstrators ignored traffic signals as they crossed the street.

Your Committee has amended this measure by:

- (1) Requesting demonstrators to follow traffic laws and public safety ordinances in general, as opposed to just when crossing streets;
- (2) Applying the request to "permitted" events, as opposed to "recognized" events; and
- (3) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on Transportation and Energy that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 135, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 135, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Energy,


LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SR 135	Committee Referral: TRE	Date: 04/02/2018		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	X			
ESPERO, Will (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
SHIMABUKURO, Maile S.L.	X			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Will Espo				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes