

STAND. COM. REP. NO.

806

Honolulu, Hawaii

FEB 28 2019

RE: S.B. No. 98

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 98 entitled:

"A BILL FOR AN ACT RELATING TO CROSSWALK SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the requirement that a driver of a motor vehicle yield to a pedestrian by specifying when a pedestrian is considered to be within an intersection or adjacent crosswalk.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that there is confusion as to when a vehicle must yield the right-of-way to a pedestrian who plans to cross or is crossing a roadway, particularly with regard to when a pedestrian is considered to be within an intersection or adjacent crosswalk. Your Committee further finds that pedestrians have the right of way over vehicles because the consequences of a collision between a vehicle and a pedestrian is highly likely to result in catastrophic injury for the pedestrian. Your Committee additionally finds that as the number of pedestrian injuries and deaths have greatly increased in the past year, clarifying that a pedestrian is legally within a crosswalk when any part or extension of the pedestrian is beyond the curb or edges of the traversable roadway will allow law enforcement to discourage the



operators of motor vehicles from attempting to race pedestrians to the crosswalk or otherwise drive in a dangerous manner.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 98 and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 98</b>	Committee Referral: <b>TPS, JDC</b>	Date: <b>2/21/19</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye/	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes