

STAND. COM. REP. NO. 1268-24

Honolulu, Hawaii

MAR 21, 2024

RE: S.B. No. 2630
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2630, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PEDESTRIANS,"

begs leave to report as follows:

The purpose of this measure is to permit pedestrians to act contrary to the statewide traffic code, commonly known as jaywalking, under certain circumstances.

Your Committee received testimony in support of this measure from the Office of the Public Defender; one member of the Kaua'i County Council; Get Fit Kauai - Healthy Eating Active Living Coalition of Kauai County; Hawai'i Appleseed Center for Law & Economic Justice; Hawai'i Public Health Institute; Grassroot Institute of Hawaii; Hawai'i Bicycling League; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation; Department of Law Enforcement; Honolulu Police Department; and one individual. Your Committee received comments on this measure from the Department of Health; Hawai'i Climate Change Mitigation and Adaptation Commission; and one individual.

Your Committee finds that jaywalking laws are ineffective at producing roadway safety results and often disproportionately

2024-2268 SB2630 HD1 HSCR HMSO



target persons of color and lower income individuals who are more likely to rely on walking as a mode of transportation. Initial data from localities that have decriminalized jaywalking, such as Virginia, Kansas City, and California, show that there has been little to no change in the number of traffic injuries or fatalities. Your Committee further finds that the number of jaywalking-related citations in Hawaii are significantly higher than those in other localities across the nation. Your Committee believes that allowing pedestrians to use their own judgement to safely cross roadways in a manner that would otherwise violate the Statewide Traffic Code without fear of penalty will reduce unnecessary harassment of disadvantaged groups and minorities without increasing traffic injuries or fatalities.

Your Committee has amended this measure by:

- (1) Deleting the preamble;
- (2) Clarifying the standard of care a pedestrian must observe when crossing in a manner contrary to the Statewide Traffic Code;
- (3) Deleting language imposing a minimum fine for speeding violations;
- (4) Inserting a savings clause;
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concern raised in testimony that the requirement that a pedestrian must be two hundred feet from a marked crosswalk before the pedestrian can cross in a manner that would be contrary to the Statewide Traffic Code may be too limiting and may result in unnecessary or unenforceable tickets as police officers and pedestrians may misjudge how far the pedestrian is from a marked crosswalk. Your Committee further notes that it is unclear if this measure would protect pedestrians who cross after a pedestrian-control signal begins flashing or counting down from being ticketed for jaywalking. Therefore, your Committee respectfully requests your Committee on Judiciary &



Hawaiian Affairs, should it choose to deliberate on this measure, to consider whether the two hundred foot requirement is necessary and whether additional language should be inserted into this measure to further clarify the circumstances under which a pedestrian may jaywalk without fear of penalty.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2630, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2630, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



CHRIS TODD, Chair



