

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P.O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on S.B. 2630, S.D. 1  
RELATING TO PEDESTRIANS**

REPRESENTATIVE CHRIS TODD, CHAIR  
HOUSE COMMITTEE ON TRANSPORTATION

Hearing Date: March 12, 2024

Room Number: Conference Room 312

- 1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of
- 2 Transportation for fiscal implications of implementation.
  
- 3 **Department Position:** The DOH offers comments on Senate Bill 2630, Senate Draft 1 (S.B. 2630,
- 4 S.D. 1).
  
- 5 **Department Testimony:** The DOH offers comments on the potential health impacts of S.B. 2630,
- 6 S.D. 1. which would allow pedestrians to cross a street after reasonable determination that
- 7 there is no immediate danger of a collision with a moving vehicle.
  
- 8 Despite Hawaii's favorable climate, geography, and reputation for active outdoor living,
- 9 only 24.8% of Hawaii residents, in 2019, met federal guidelines for physical activity.<sup>1</sup> The
- 10 design of roads that integrate options like walking and bicycling is a public health concern since
- 11 the built environment can promote or hinder physical activity. This includes removing barriers
- 12 and providing opportunities to cross streets safely and conveniently to access destinations such
- 13 as bus stops, schools, and worksites. People who are physically active generally have better

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<sup>1</sup> Hawaii Health Data Warehouse, Hawaii State Department of Health, Behavioral Risk Factor Surveillance System, 2019.

1 health outcomes and are at less risk for serious chronic diseases and conditions; often the same  
2 conditions closely linked to severe COVID-19 outcomes.<sup>2</sup>

3 Pedestrian access to everyday destinations is also a social justice and healthy equity  
4 issue.<sup>3</sup> Jaywalking contributes to racially based police stops, which aligns with the  
5 overrepresentation of people of color in the criminal justice system. Hawaii has a history of  
6 disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders (NHPI), so  
7 decriminalizing jaywalking would address some of the racial injustices in our state. In 2019,  
8 NHPI were involved in over a one-third of police force incidents despite making up only one-  
9 fourth of the population.<sup>4</sup>

10 Active transportation, including walking, biking, and rolling, provides everyday  
11 opportunities for physical activity. Adequate built environment infrastructure is critical for  
12 accessibility, connectivity to essential community destinations, and safety. Removing barriers  
13 to equitable access and making up for historical underinvestment that has resulted in  
14 inadequate walking, biking, and mobility infrastructure are important components to  
15 encourage active transportation. The DOH promotes evidence-based, equity-focused active  
16 transportation policies that improve pedestrian and bicyclist safety infrastructure especially for  
17 historically under-resourced communities.

18 Jaywalking laws are ineffective at producing roadway safety results, but also accentuate  
19 places which are hostile to walking. Removing jaywalking penalties has not been found to  
20 increase adverse public safety outcomes. Initial data from localities where decriminalization of

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<sup>2</sup> CDC *About Physical Activity*. 2021.

<sup>3</sup> Department of Health and Human Services, Centers for Disease Control and Prevention, *About Physical Activity*. 2021.

<sup>4</sup> Kawano, L. (2021, February 4). *HPD report shows police force used most on Native Hawaiians, Pacific Islanders*. Hawaii News Now. Retrieved January 31, 2024, from <https://www.hawaiinewsnow.com/2021/02/05/hpd-report-shows-police-force-used-most-native-hawaiians-pacific-islanders/>

1 jaywalking was implemented (Virginia, Kansas City,<sup>5</sup> and California<sup>6</sup>) show that there has been  
2 little to no change in the number of traffic injuries and fatalities. In addition, cities with the  
3 lowest traffic death rates (mainly in Europe) do not have jaywalking laws.

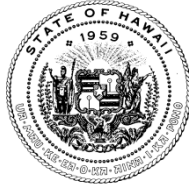
4 Thank you for the opportunity to testify on this measure.

5 **Offered Amendments:** None

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<sup>5</sup> Schmitt, A. (2022, June 23). *These Communities Are Making Progress After 'Jaywalking' Reform*. Streetsblog USA. Retrieved January 31, 2024, from <https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-making-safety-progress-after-jaywalking-reform>

<sup>6</sup> Schmitt, A. (2023, February 14). *Denver is the latest place to eliminate harmful "jaywalking" laws that are enforced unfairly*. America Walks. Retrieved January 31, 2024, from <https://americawalks.org/decriminalizing-walking-notching-more-wins/>



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 12, 2024  
10:30 a.m.  
State Capitol, Room 312 & Videoconference

**S.B. 2630, S.D. 1**  
**RELATING TO PEDESTRIANS**

House Committee on Transportation

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The Hawaii Department of Transportation (HDOT) **opposes** S.B. 2630, S.D. 1, which authorizes pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger from a collision with a moving vehicle.

Pedestrian, bicycle, and motorized vehicle laws are enacted to provide road users their responsibilities and rules of the road. S.B. 2630, S.D. 1 will allow pedestrians the freedom to determine their own rules of the road. This will create traffic situations that other road users are not expecting, yet be responsible for.

Pedestrians crossing the street against nationally established traffic control devices and/or contrary to other road user expectations will be challenging especially for children and elderly persons, our most vulnerable road users. A pedestrian may think it is safe to cross the roadway against traffic signal indications, however they may not be aware of conflicts with turning vehicles, and drivers would encounter situations that they do not expect. In addition, pedestrians may be prohibited from crossing a street at certain locations due to conditions that may not be obvious to the pedestrian, such as high vehicular speeds or volumes, limited sight distance for vehicles or pedestrians, and insufficient roadway street lighting.

Hawaii Revised Statutes (HRS) § 291C-73 currently provides for pedestrians crossing at locations other than a marked crosswalk. In general, the HRS allows pedestrians to cross a roadway at any location except between adjacent signalized intersections. In addition, unmarked crosswalks exist at every intersection if marked crosswalks are not provided.

In accordance with Act 134 S.L.H. 2019, also known as the Vision Zero Act, the State Highway Safety Council (SHSC) was required to complete a final report on the Vision Zero Action Plan to reduce traffic fatalities to zero. This report was submitted to the legislature on December 11, 2020. One recommendation of this report is to enforce pedestrian and bicycle laws for all roadway users based on data. This measure conflicts with the SHSC's Vision Zero Action Plan.

There were 132 pedestrian fatalities and 459 serious injuries from 2019 through 2023, using preliminary data for 2023. Pedestrians aged 17 and younger or aged 65 and older were involved in 39 percent of pedestrian fatalities and 33 percent of pedestrian serious injuries. Overall, pedestrians accounted for 27 percent all traffic fatalities and 17 percent of all serious injuries during this period. All road users, including pedestrians, should be required to follow applicable traffic laws in order for the State to work towards the goal of eliminating traffic fatalities and serious injuries.

Although HDOT opposes S.B. 2630, S.D. 1, establishing a minimum fine of \$100 for operating a motor vehicle at a speed greater than the maximum speed limit would result in a more equitable fine structure for pedestrians and drivers who violate the statewide traffic code.

Thank you for the opportunity to provide testimony.



STATE OF HAWAII  
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION  
COMMISSION  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
**Leah Laramee**  
Coordinator, Hawai'i Climate Change Mitigation and Adaptation Commission

Co-Chairs:  
Chair, DLNR  
Director, OPSD

Commissioners:  
Chair, Senate AEN  
Chair, Senate WTL  
Chair, House EEP  
Chair, House WAL  
Chairperson, HTA  
Chairperson, DOA  
CEO, OHA  
Chairperson, DHHL  
Director, DBEDT  
Director, DOT  
Director, DOH  
Chairperson, DOE  
Director, C+C DPP  
Director, Maui DP  
Director, Hawai'i DP  
Director, Kaua'i DP  
The Adjutant General  
Manager, CZM

Before the House Committee on  
TRANSPORTATION

Tuesday March 12, 2024  
10:30 AM

State Capitol, Via Videoconference, Conference Room 312

In support of  
Senate Bill 2630 Senate Draft 1  
RELATING TO ~~THE~~ PEDESTRIANS

Senate Bill 2630 SD1 authorizes pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle. This bill also requires that any person that drives a motor vehicle greater than the speed limit be fined not less than \$100. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports offers comments on this measure.**

The Commission is a multi-jurisdictional effort between 20 different State and county departments, and Legislative committees. The ability to walk safely and freely impacts peoples choices on how they travel. Transportation infrastructure in Hawai'i prioritizes and is designed for the convenience and efficiency of motorized vehicles while people walking and rolling bear the responsibility of keeping themselves safe from large and fast-moving vehicles. Transportation is our largest greenhouse gass emitting sector and shifting away from single occupancy vehicles is a priority in reducing emissions. In a 2022 study, Hawai'i is tied for sixth as one of the most dangerous states for people walking and rolling in the U.S. with a 34.4% higher death rate for people walking and rolling than the national average but there is little research to show links between pedestrian safety and jaywalking laws. In fact when Virginia decriminalized jaywalking in 2020 they found no changes in people walking and rolling fatalities. When Nevada did the same the percent of pedestrian deaths in overall traffic deaths was reduced.

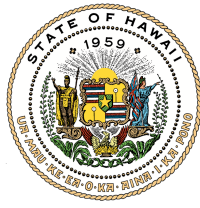
If passed this bill will also address equity issues as jaywalking contributes to racially-based pretextual police stops and the overrepresentation of people of color in the criminal justice system. This, combined with the State of Hawai'i's history of disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders (NHPI) further enforces racial injustice in the state. In

2019, NHPI were involved in over one third of police force incidents despite making up only a quarter of the population.

Fatalities can be prevented by investing in and implementing safer, more convenient, accessible, and connected infrastructure, particularly in those communities that lack infrastructure that support people walking and rolling and those disproportionately impacted by traffic violence. The State of Hawai‘i has a responsibility to its NHPI population to eliminate racial injustice and set an example for others to follow. We must shift the responsibility of safety from individual users to systems, policies, and environmental design to not only save lives but to prevent racially targeted law enforcement.

Mahalo for the opportunity to testify ~~in support of this~~ on this measure.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



JORDAN LOWE  
DIRECTOR

MICHAEL VINCENT  
Deputy Director  
Administration

JARED K. REDULLA  
Deputy Director  
Law Enforcement

SYLVIA LUKE  
LT GOVERNOR  
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 2630, SENATE DRAFT 1  
RELATING TO PEDESTRIANS

Before the House Committee on Transportation

Tuesday, March 12, 2024; 10:30 a.m.

State Capitol Conference Room 312, Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Todd, Vice Chair Kila, and members of the Committee:

The Department of Law Enforcement (DLE) **opposes**, Senate Bill 2630, Senate Draft 1.

This bill will allow pedestrians to violate the statewide traffic code if they think they are being reasonably careful and do not believe they are in danger of being hit by a motor vehicle.

The DLE is concerned with what amounts to a free pass for jaywalking and creates a situation where such offenses will be virtually impossible to enforce or prosecute.

The bill prohibits an officer from even making a stop of a pedestrian who is "acting contrary to [chapter 291C]," unless the law enforcement officers makes a determination, and can establish, that "a reasonably careful pedestrian would determine that there is an immediate danger of a collision with a moving vehicle." This essentially ties the hands of every law enforcement officer when it comes to pedestrians illegally in the roadway unless the officer is able to identify and clearly articulate how a reasonably careful pedestrian would think it is safe to do so.



Problematic with this is the fact that our law enforcement officers will be required to determine the thoughts and evaluate the physical capabilities of the subject in relation to the situation in which they have placed themselves.

Additionally, because the statute makes it a clear prohibition for any officer to stop, fine, or subject a pedestrian to any other penalty without making this finding, determination, and evaluation, there would appear to be significant liability for making such a decision.

This bill will significantly increase the number of pedestrians crossing the road- something that is currently a substantial problem in areas of our community. It is also highly likely that many will feel that it is within their statutorily given right to step into traffic because despite this pass given to pedestrians, all drivers continue to be required to exercise due care for the safety of any pedestrian.

Thank you for the opportunity to testify in opposition to this bill.

**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Bill DeCosta  
Ross Kagawa



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, County Clerk  
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349  
Email: [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov)

**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

March 8, 2024

**TESTIMONY OF ADDISON BULOSAN  
COUNCILMEMBER, KAUAI COUNTY COUNCIL**

**ON**

**SB 3183, SD 2, RELATING TO ROAD USAGE CHARGE PROGRAM**

**SB 2630, SD 1, RELATING TO PEDESTRIANS**

**House Committee on Transportation**

**Tuesday, March 12, 2024**

**10:30 a.m.**

**Conference Room 312**

**Via Videoconference**

Dear Chair Todd and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 3183, SD 2, Relating to Road Usage Charge Program and SB 2630, SD 1, Relating to Pedestrians. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of SB 3183, SD 2 and SB 2630, SD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of SB 3183, SD 2 and SB 2630, SD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov).

Sincerely,

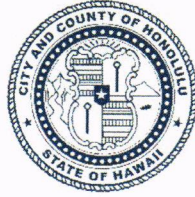
**ADDISON BULOSAN**  
Councilmember, Kaua'i County Council

AAO:dmc

LATE \*Testimony submitted late may not be considered by the Committee for decision making purposes.

POLICE DEPARTMENT  
KA 'OIHANA MĀKA'I O HONOLULU  
**CITY AND COUNTY OF HONOLULU**

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 • WEBSITE: [www.honolulu-pd.org](http://www.honolulu-pd.org)



RICK BLANGIARDI  
MAYOR  
MEIA

ARTHUR J. LOGAN  
CHIEF  
KAHU MĀKA'I  
  
KEITH K. HORIKAWA  
RADE K. VANIC  
DEPUTY CHIEFS  
HOPE LUNA NUI MĀKA'I

OUR REFERENCE ST-TK

March 12, 2024

The Honorable Chris Todd, Chair  
and Members  
Committee on Transportation  
House of Representatives  
415 South Beretania Street, Room 312  
Honolulu, Hawaii 96813

Dear Chair Chris Todd and Members:

SUBJECT: Senate Bill No. 2630, S.D. 1, Relating to Pedestrians

I am Stason Tanaka, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.


The HPD opposes Senate Bill No. 2630, S.D. 1, Relating to Pedestrians.


The HPD opposes the proposal to authorize pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle. Motorists may not be expecting pedestrians to be crossing at areas not designated by a crosswalk, thus putting them at risk.

The HPD urges you to oppose Senate Bill No. 2630, S.D. 1, Relating to Pedestrians. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

  
\_\_\_\_\_  
Arthur J. Logan  
Chief of Police

  
Stason Tanaka, Major  
Traffic Division

**SB-2630-SD-1**

Submitted on: 3/10/2024 11:16:47 AM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bev Brody	Get Fit Kauai - Healthy Eating Active Living Coalition of Kauai County	Support	Written Testimony Only

Comments:

Thank you for allowing Get Fit Kauai, Healthy Eating Active Living Coalition of Kauai County to voice very STRONG SUPPORT for this bill with one request; please **remove the language “provided that the pedestrian is more than two hundred feet from a marked crosswalk”** from the bill. This language minimizes the impact of this bill, given that the bill’s intent is to provide autonomy to pedestrians to determine when they feel safe to cross the street. Moreover, in practice, it will be nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.

Again, thank you for your time and consideration and for the opportunity to provide testimony on this important issue.

**Bev Brody**

**Get Fit Kauai – Director**

H.E.A.L. (Healthy Eating Active Living)

Community Coalition of Kauai County

(808) 212-4765



**Testimony for Hawai'i Appleseed Center for Law and Economic Justice**  
**Support for SB2630 SD1 - Relating to Pedestrians**  
**House Committee on Transportation**  
**March 12th, 2024 at 10:30AM**

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Dear Chair Todd, Vice Chair Kila, and members of the committee,  
Mahalo for the opportunity to express **STRONG SUPPORT for SB2630**, also referred to as the “Freedom to Walk” bill, which authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. We are also providing suggested amendments to strengthen the bill.

**The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S.** Based on a recent report titled “Freedom to Walk”, published by Hawai'i Appleseed, from 2018 to 2023 there were 30,168 jaywalking citations given in Hawai'i, with an average of 5,028 jaywalking citations per year. This does not include sealed cases or juvenile records.

In comparison, 9,833 jaywalking citations were issued across Washington state (population 7.7 million) from 2000 to 2023, which averages about 428 citations per year. This data means that only 6 jaywalking citations are given for every 100,000 people in Washington state. In comparison, a staggering 349 jaywalking citations are given for every 100,000 people in Hawai'i. While more analysis is needed to understand the geographic distribution of jaywalking citations, we found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O'ahu, such as Waipahu, Kalihi, Downtown/Chinatown, and Waikīkī.

Jaywalking enforcement leads to a myriad of negative impacts, including:

- 1. Hostility towards pedestrians.** Jaywalking laws were enacted in the 1920's following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent our growing pedestrian fatalities. Just as their early proponents hoped, jaywalking laws succeeded in creating a “moral basis” for pedestrian deaths. We see this reflected today in media reports. For example, in a 2019 study of local coverage of crashes involving pedestrians or bicyclists in Hawai'i, 69% of the articles did not mention a driver or vehicle.<sup>1</sup> Only 15% of the articles described a safety solution.
- 2. Over-policing of Black and Brown communities.** Because police have broad discretion over their response to traffic violations, jaywalking lends itself to biased enforcement. This has proven to be true in every place jaywalking has been studied, including New York City, where a 2019 study

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<sup>1</sup> L. Brooke Keliikoa, et. al. (2019). Public health framing in local media coverage of crashes involving pedestrians or bicyclists in Hawai'i: A content analysis. Transportation Research Interdisciplinary Perspectives, Volume 13.

found that 90% of jaywalking tickets in New York City were given to Black and Hispanic people, although they only make up 55% of the city's population.<sup>2</sup> Unfortunately, sociodemographic information (with the exception of gender) was not obtained by the police for jaywalking citations reviewed by Hawai'i Appleseed. Thus, it is difficult to assess with precision whether certain populations in Hawai'i are disproportionately impacted by jaywalking enforcement.

3. **Loss of state revenue.** Despite the heavy-handed approach to jaywalking enforcement in Hawai'i, these citations do not produce large sums of money for our local government. Based on our analysis, while the jaywalking citations given during the 2018-2023 time period resulted in over \$3.8 million in assessed fees, only \$854,947 of those fees were collected. Given the public resources required (police man hours, judiciary resources, etc.), this means that the state is likely losing revenue due to jaywalking enforcement.
4. **Debt collection and court records.** Fines for jaywalking range between \$100 and \$150 (plus fines), depending on the county, and the type of jaywalking violation.<sup>3</sup> These fines are less than some other driving-related traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities. As noted above, the majority of jaywalking citation fees in Hawai'i are not collected by the state. Unpaid tickets are typically sent to debt collectors, which can lead to damage to an individual's credit score. If left unpaid, debt can lead to legal consequences (such as potential court appearances and wage garnishment), difficulty in obtaining government services, as well as negative impacts to employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

To address these issues, we are following in the footsteps of other states such as Virginia, California, and cities such as Anchorage, Denver, and Kansas City who have implemented similar legislation to remove jaywalking penalties. This national effort has led to about 52 million people living in the US where this reform has occurred. Many states have found that by decriminalizing jaywalking<sup>4</sup> and other minor traffic violations, they have reduced the burden on the justice system, removed opportunities for escalations, and found more constructive applications of traffic safety resources.

Given that this effort is a relatively new one, there are many misconceptions about jaywalking and how removing jaywalking penalties will impact drivers and pedestrians. We are addressing some of the common misunderstandings below:

- **Removing jaywalking penalties has not been found to increase adverse public safety outcomes.** While some critics claim that this legislation will increase traffic collisions, preliminary data from localities where similar legislation was implemented show that there has been little to no change in the number of traffic injuries and fatalities. In fact, globally the cities with the lowest traffic death rates (mainly in Europe) do not have jaywalking laws. Notably, it is difficult to

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<sup>2</sup> Kuntzman, Gersh. (2020). 'Jaywalking While Black': Final 2019 Numbers Show Race-Based NYPD Crackdown Continues. StreetsBlog NYC. Available at <https://nyc.streetsblog.org/>.

<sup>3</sup> State of Hawai'i Department of Transportation. *Frequently Asked Questions: What is the fine for pedestrians who jaywalk.* (2024). Available at: <https://hidot.hawaii.gov/highways/safe-communities/walkwisehawaii/faq/>.

<sup>4</sup> Streetsblog "These Communities Are Making Progress After 'Jaywalking' Reform" <https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-making-safety-progress-after-jaywalking-reform/>

assess the direct-connection between jaywalking laws and changes to traffic violence, as pedestrian fatalities in the U.S. have been sharply increasing over the last decade, well before efforts to reform jaywalking laws occurred.

- **The legislation does not change the civil/criminal liability for drivers in the case of collisions.** While current traffic code requires pedestrians to yield the right of way to all vehicles (except when in a marked crosswalk or a controlled intersection), it also mandates that drivers shall exercise “due care” to avoid colliding with any pedestrian. Similarly, the proposed Freedom to Walk legislation includes a provision that pedestrians must use due care to ensure their safety and the safety of others and should only cross the street when there is not a “immediate danger of a collision with a moving vehicle.” Given this, the proposed legislation is not expected to change the status quo of the civil/criminal liability that results from collisions between pedestrians and vehicles, as both parties are responsible for exercising due care.

**We are also offering the following suggested amendment to strengthen the current bill:**

- **Remove the language “provided that the pedestrian is more than two hundred feet from a marked crosswalk”** from the bill. This language minimizes the impact of this bill, given that the bill’s intent is to provide autonomy to pedestrians to determine when they feel safe to cross the street. Moreover, in practice, it will be nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.
  - Note: While our preference is for full removal of this language, if the committee chooses not to remove this language, we suggest that the fines associated with jaywalking (HRS§291C) be lowered to no more than \$50 (equivalent to a common parking ticket). This proposed amendment would provide significant relief to the thousands of people who cannot afford to pay the jaywalking tickets they receive.

In conclusion, Hawai‘i Appleseed and the other community partners engaged in this work seek to catalyze a shift away from our current roadway safety strategy that focuses on enforcement to a holistic approach that centers building safe, accessible pedestrian infrastructure.

Mahalo for the opportunity to testify on this important measure.

*Abbey Seitz*

Abbey Seitz

Director of Transportation Equity

Hawai‘i Appleseed Center for Law and Economic Justice



**Testimony for Hawai'i Appleseed Center for Law and Economic Justice**  
**Support for SB2630 SD1 - Relating to Pedestrians**  
**House Committee on Transportation**  
**March 12th, 2024 at 10:30AM**

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Dear Chair Todd, Vice Chair Kila, and members of the committee,  
Mahalo for the opportunity to express **STRONG SUPPORT for SB2630**, also referred to as the “Freedom to Walk” bill, which authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. We are also providing suggested amendments to strengthen the bill.

**The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S.** Based on a recent report titled “Freedom to Walk”, published by Hawai'i Appleseed, from 2018 to 2023 there were 30,168 jaywalking citations given in Hawai'i, with an average of 5,028 jaywalking citations per year. This does not include sealed cases or juvenile records.

In comparison, 9,833 jaywalking citations were issued across Washington state (population 7.7 million) from 2000 to 2023, which averages about 428 citations per year. This data means that only 6 jaywalking citations are given for every 100,000 people in Washington state. In comparison, a staggering 349 jaywalking citations are given for every 100,000 people in Hawai'i. While more analysis is needed to understand the geographic distribution of jaywalking citations, we found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O'ahu, such as Waipahu, Kalihi, Downtown/Chinatown, and Waikīkī.

Jaywalking enforcement leads to a myriad of negative impacts, including:

- 1. Hostility towards pedestrians.** Jaywalking laws were enacted in the 1920's following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent our growing pedestrian fatalities. Just as their early proponents hoped, jaywalking laws succeeded in creating a “moral basis” for pedestrian deaths. We see this reflected today in media reports. For example, in a 2019 study of local coverage of crashes involving pedestrians or bicyclists in Hawai'i, 69% of the articles did not mention a driver or vehicle.<sup>1</sup> Only 15% of the articles described a safety solution.
- 2. Over-policing of Black and Brown communities.** Because police have broad discretion over their response to traffic violations, jaywalking lends itself to biased enforcement. This has proven to be true in every place jaywalking has been studied, including New York City, where a 2019 study

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<sup>1</sup> L. Brooke Keliikoa, et. al. (2019). Public health framing in local media coverage of crashes involving pedestrians or bicyclists in Hawai'i: A content analysis. Transportation Research Interdisciplinary Perspectives, Volume 13.



found that 90% of jaywalking tickets in New York City were given to Black and Hispanic people, although they only make up 55% of the city's population.<sup>2</sup> Unfortunately, sociodemographic information (with the exception of gender) was not obtained by the police for jaywalking citations reviewed by Hawai'i Appleseed. Thus, it is difficult to assess with precision whether certain populations in Hawai'i are disproportionately impacted by jaywalking enforcement.

3. **Loss of state revenue.** Despite the heavy-handed approach to jaywalking enforcement in Hawai'i, these citations do not produce large sums of money for our local government. Based on our analysis, while the jaywalking citations given during the 2018-2023 time period resulted in over \$3.8 million in assessed fees, only \$854,947 of those fees were collected. Given the public resources required (police man hours, judiciary resources, etc.), this means that the state is likely losing revenue due to jaywalking enforcement.
4. **Debt collection and court records.** Fines for jaywalking range between \$100 and \$150 (plus fines), depending on the county, and the type of jaywalking violation.<sup>3</sup> These fines are less than some other driving-related traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities. As noted above, the majority of jaywalking citation fees in Hawai'i are not collected by the state. Unpaid tickets are typically sent to debt collectors, which can lead to damage to an individual's credit score. If left unpaid, debt can lead to legal consequences (such as potential court appearances and wage garnishment), difficulty in obtaining government services, as well as negative impacts to employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

To address these issues, we are following in the footsteps of other states such as Virginia, California, and cities such as Anchorage, Denver, and Kansas City who have implemented similar legislation to remove jaywalking penalties. This national effort has led to about 52 million people living in the US where this reform has occurred. Many states have found that by decriminalizing jaywalking<sup>4</sup> and other minor traffic violations, they have reduced the burden on the justice system, removed opportunities for escalations, and found more constructive applications of traffic safety resources.

Given that this effort is a relatively new one, there are many misconceptions about jaywalking and how removing jaywalking penalties will impact drivers and pedestrians. We are addressing some of the common misunderstandings below:

- **Removing jaywalking penalties has not been found to increase adverse public safety outcomes.** While some critics claim that this legislation will increase traffic collisions, preliminary data from localities where similar legislation was implemented show that there has been little to no change in the number of traffic injuries and fatalities. In fact, globally the cities with the lowest traffic death rates (mainly in Europe) do not have jaywalking laws. Notably, it is difficult to

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<sup>2</sup> Kuntzman, Gersh. (2020). 'Jaywalking While Black': Final 2019 Numbers Show Race-Based NYPD Crackdown Continues. StreetsBlog NYC. Available at <https://nyc.streetsblog.org/>.

<sup>3</sup> State of Hawai'i Department of Transportation. *Frequently Asked Questions: What is the fine for pedestrians who jaywalk.* (2024). Available at: <https://hidot.hawaii.gov/highways/safe-communities/walkwisehawaii/faq/>.

<sup>4</sup> Streetsblog "These Communities Are Making Progress After 'Jaywalking' Reform" <https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-making-safety-progress-after-jaywalking-reform/>

assess the direct-connection between jaywalking laws and changes to traffic violence, as pedestrian fatalities in the U.S. have been sharply increasing over the last decade, well before efforts to reform jaywalking laws occurred.

- **The legislation does not change the civil/criminal liability for drivers in the case of collisions.** While current traffic code requires pedestrians to yield the right of way to all vehicles (except when in a marked crosswalk or a controlled intersection), it also mandates that drivers shall exercise “due care” to avoid colliding with any pedestrian. Similarly, the proposed Freedom to Walk legislation includes a provision that pedestrians must use due care to ensure their safety and the safety of others and should only cross the street when there is not a “immediate danger of a collision with a moving vehicle.” Given this, the proposed legislation is not expected to change the status quo of the civil/criminal liability that results from collisions between pedestrians and vehicles, as both parties are responsible for exercising due care.

**We are also offering the following suggested amendment to strengthen the current bill:**

- **Remove the language “provided that the pedestrian is more than two hundred feet from a marked crosswalk”** from the bill. This language minimizes the impact of this bill, given that the bill’s intent is to provide autonomy to pedestrians to determine when they feel safe to cross the street. Moreover, in practice, it will be nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.
  - Note: While our preference is for full removal of this language, if the committee chooses not to remove this language, we suggest that the fines associated with jaywalking (HRS§291C) be lowered to no more than \$50 (equivalent to a common parking ticket). This proposed amendment would provide significant relief to the thousands of people who cannot afford to pay the jaywalking tickets they receive.

In conclusion, Hawai‘i Appleseed and the other community partners engaged in this work seek to catalyze a shift away from our current roadway safety strategy that focuses on enforcement to a holistic approach that centers building safe, accessible pedestrian infrastructure.

Mahalo for the opportunity to testify on this important measure.



Abbey Seitz

Director of Transportation Equity

Hawai‘i Appleseed Center for Law and Economic Justice



## HIPHI Board

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## HIPHI Initiatives

Coalition for a  
Tobacco-Free Hawai'i

Community-Based Research &  
Evaluation

Community Health  
Worker Initiatives

COVID-19 Response

Environmental Health

Hawai'i Drug & Alcohol-Free  
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging  
& Community Living

Public Health Workforce  
Development

Date: March 8, 2024

To: Representative Chris Todd, Chair  
Representative Darius K. Kila, Vice Chair  
Members of the House Committee on Transportation

Re: Support SB2630 SD1, Relating to Pedestrians

Hrg: Tuesday, March 12, 2024 at 10:30 AM

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Healthy Eating + Active Living (HEAL) Coalition, convened by the Hawai'i Public Health Institute<sup>i</sup> appreciates the opportunity to provide **SUPPORT** for **SB2630 SD1**.

The freedom to walk as a mode of transportation is a public health issue. SB2630 SD1 expands the freedom to walk (or use an assistive mobility device like a walker or wheelchair) outside of a designated crosswalk or against a traffic light when it is safe to do so. To ensure freedom to walk, we take this opportunity to request that the SB2630 language be restored.

Jaywalking laws do not reduce pedestrian deaths or make our streets safer. Instead of penalizing pedestrians with fines that do little for safety, it is necessary to shift resources toward infrastructure that keeps all road users safe. For example, supporting mid-block crossing (crossing in the middle of the street instead of using designated crosswalks) is safer for both pedestrians and drivers.<sup>ii</sup> Yet, jaywalking continues to be a criminal offense.

Furthermore, research shows that jaywalking enforcement is ineffective at preventing deaths and injuries to pedestrians and has a significant disparate impact on specific communities. Hawai'i Appleseed has been researching jaywalking data in the state. Their work reveals that from 2018-2023 the number of citations for jaywalking totaled **30,168**. That equates to 5,028 citations per year. In other localities such as Washington, 428 citations a year were given. In 2019, New York City issued a mere 361 jaywalking citations. In 2022, New York City issued even less at 117 citations, all while traffic fatalities decreased.<sup>iii</sup> Hawai'i has extraordinarily high rates of jaywalking citations. Even compared to localities with ten times the population.

Several states and cities, such as Virginia, California, Anchorage, Denver, and Kansas City, have successfully decriminalized jaywalking, resulting in a reduction in the burden on the justice system and a more constructive use of traffic safety resources, and ultimately results in community well-being. In 2019, NHPs were involved in over one-third of police force incidents despite making up only one-fourth of the population<sup>iv</sup>.

Globally, the United States continues to out pace other countries in road deaths. In 2019, crash deaths per 100,000 population for all 29 countries ranged from a low of 2.0 (Norway) to a high of 11.1 (United States). The U.S. rate was 2.3 times the average rate of the other countries (4.8).<sup>v</sup> The Netherlands repealed their jaywalking laws, and their roads are safer than the United States. The Netherlands have 2.83 deaths per 100,000 vs the US with 11.1 deaths per 100,000.<sup>vi</sup> It is not the legality or illegality of jaywalking that creates safer roads. It is a comprehensive approach where both driver and pedestrian are held accountable and are provided safe facilities for driving, walking, and rolling.

As the state continues to work toward making roads safer, typically the path chosen to achieve that goal is to penalize pedestrians. That approach is singular and alone will not create safer roads. Creating an environment that slows down drivers and provides safe options for pedestrians are ways that we can ensure all road users are safe.

Thank you for encouraging public engagement on this important issue. For best practice, we recommend the original language from SB2630. We appreciate the opportunity to share our supportive testimony on SB2630 SD1.

Sincerely,



Peggy Mierzwa  
Director of Policy & Advocacy  
Hawai'i Public Health Institute

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<sup>i</sup> The Healthy Eating + Active Living (HEAL) Coalition, formerly known as the Obesity Prevention Task Force, was created by the legislature in 2012 and is comprised of over 60 statewide organizations. The HEAL Coalition works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents.

<sup>ii</sup> <https://viewpointvancouver.ca/2019/01/22/those-mid-block-crossingsdid-jaywalkers-have-it-right/>

<sup>iii</sup> <https://nypost.com/2023/07/22/walking-dead-lefty-nyc-pols-want-to-legalize-jaywalking/>

<sup>iv</sup> <https://www.hawaiinewsnow.com/2021/02/05/hpd-report-shows-police-force-used-most-native-hawaiians-pacific-islanders/>

<sup>v</sup> <https://www.cdc.gov/mmwr/volumes/71/wr/mm7126a1.htm>

<sup>vi</sup> <https://www.worldlifeexpectancy.com/netherlands-road-traffic-accidents>

March 12, 2024, 10:30 a.m.  
Hawaii State Capitol  
Conference Room 312 and Videoconference

**To: House Committee on Transportation**  
**Rep. Chris Todd, Chair**  
**Rep. Darius K. Kila, Vice-Chair**

**From: Grassroot Institute of Hawaii**  
**Ted Kefalas, Director of Strategic Campaigns**

RE: TESTIMONY IN SUPPORT OF SB2630 SD1 — RELATING TO PEDESTRIANS

Aloha Chair and Committee Members,

The Grassroot Institute of Hawaii would like to offer its **comments in support of the portion** of [SB2630 SD1](#) that would allow pedestrians to act contrary to the traffic code after exercising reasonable care that there is no danger of collision with a moving vehicle.

In other words, this bill trusts people to cross the street after checking carefully that there are no cars coming.

We do have two concerns regarding the language of the current bill.

First, the addition of a minimum fine for speeding distracts from the bill's broader intent. We suggest that this element be removed so that it can be properly debated on its own merits, rather than being treated as a subsidiary element of jaywalking reform.

Second — and more important — the addition of language regarding a pedestrian's proximity to a crosswalk unnecessarily complicates the bill. As a practical matter, it is unreasonable to expect a pedestrian or a police officer to accurately estimate whether one is 200 feet from a crosswalk, as the measure proposes.

Moreover, the previous language and overall intent of the bill should make such a clause unnecessary. If it is reasonably safe to cross, it doesn't matter how far away the crosswalk is. If it is not safe, then the crosswalk being more than 200 feet away doesn't transform the action into a reasonable one.

Thus, we suggest that the committee strike the following language from the bill: “provided that the pedestrian is more than two hundred feet from a marked crosswalk.”

These changes would strengthen the bill and better protect the “right to walk.”

Though some might question the necessity of jaywalking reform, an examination of the growing movement for such “right to walk” bills demonstrates that they have little to do with public safety. Rather, the enforcement of statutes relating to pedestrians is rigid, and the statutes themselves are — as noted in the language of this bill — “needlessly restrictive.”

Any Hawaii resident can regale you with a story of the absurdity of Hawaii’s pedestrian laws, including the expensive citation they or a friend received for being in the crosswalk a few seconds too soon or too late. Such stories are evidence that the current system contributes to an adversarial relationship between law enforcement and the public.

In fact, research from the Hawai’i Appleseed Center for Law and Justice reveals that annual per capita jaywalking citations in Hawaii outstrip locations like New York City or the entirety of Washington State by more than 5,800%.<sup>1</sup> Moreover, jaywalking citations issued in Hawaii are highly concentrated at certain locations.<sup>2</sup> Together, these two facts suggest that something other than public safety is motivating the state’s excessive enforcement of jaywalking laws.

Another reason to reexamine jaywalking laws can be found in the evidence that such laws have been disproportionately enforced against disadvantaged groups and minorities.<sup>3</sup> As the bill notes, “fines for pedestrians can have a disproportionate impact on people who do not drive and who primarily rely upon walking as a means of transportation.”

As for the legitimate worries about safety, data from Virginia’s 2020 decriminalization of jaywalking demonstrates that right-to-walk laws do not lead to an increase in pedestrian injuries or deaths.<sup>4</sup> After all, people crossing the street are more concerned about not getting hit by a car than avoiding a fine.

Finally, as the bill points out, decriminalizing jaywalking would encourage more people to walk while making the streets friendlier to pedestrians.

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<sup>1</sup> Abbey Seitz, [“Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure.”](#) Hawaii Appleseed Center for Law & Economic Justice, March 2024, page 7.

<sup>2</sup> [Ibid.](#), pp 8-9.

<sup>3</sup> Angie Schmitt, [“The Progress of Jaywalking Reform.”](#) America Walks. June 19, 2022.

<sup>4</sup> [Ibid.](#)

Again, this bill trusts Hawaii residents to cross the street safely. We commend the committee for considering this bill.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii



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bicycle@hbl.org

HOUSE COMMITTEE ON TRANSPORTATION

Tuesday, March 12, 2024 – 10:30am

**Hawai'i Bicycling League Supports SB 2630, Relating to Pedestrians**

Aloha Chair Todd, Vice Chair Kila, and Committee Members,

My name is Travis Counsell, and I am the Executive Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

**Hawai'i Bicycling League supports SB 2630**, also referred to as the "Freedom to Walk" bill, which authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. While our primary focus is people who ride bicycles, we advocate for laws, policy, and progress which positively impacts vulnerable road users' experiences.

We also feel that laws that overly burdensome on vulnerable users need to be repealed or modified. In this case, the fine for crossing the street can often be much higher than the fine for speeding while driving a vehicle. Crossing the road, when reasonable, does not pose a risk and should not be a fineable offense. This bill would reduce the burden on pedestrians and increase the walkability of our communities. This bill does not remove the fact that pedestrians are required to yield the right of way to vehicles (except when in a marked crosswalk or a controlled intersection) or that drivers shall exercise "due care" to avoid colliding with any pedestrian. It eliminates the fact that simply crossing the road could be deemed a finable offense.

Jaywalking laws have been shown to be ineffective ways at producing safety results and creates unnecessary hostility towards walking. Instead, our resources should be shifted toward addressing the leading causes of pedestrian deaths: poor street design, distracted drivers, and other safety factors.

This measure would follow other states such as Virginia, California, as well as major cities such as Denver and Kansas City, who have implemented similar legislation to remove jaywalking penalties. We hope this is the start of a larger effort towards traffic code and enforcement reform that supports active transportation and favors freedom of movement for vulnerable users.

Mahalo for the opportunity to provide testimony. Please support **SB 2630** and help modernize our traffic code to give people the freedom to move.

Ride Aloha,

**Travis L. Counsell**  
Executive Director  
Hawai'i Bicycling League



**Testimony of Kiana Otsuka in Support with a Recommendation**

**House Committee on Transportation**

**March 12, 2024 at 10:30AM**

**Conference Room 312**

**SB 2630 SD 1**

**Relating to Pedestrians**

Aloha Chair Todd, Vice Chair Kila, and Committee Members,

My name is Kiana Otsuka, and I am a Transportation Planner whose expertise is in walk, roll, bike, and transit. I am writing in **strong support of SB 2630 SD1 and offer a recommendation to improve the bill**, which authorizes pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle.

I am requesting the following amendment:

- **Amend the bill to remove the language "provided that the pedestrian is more than two hundred feet from a marked crosswalk"**, as this minimizes the impact of this legislation. Also, in practice, it is nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.

I am excited to see the legislature consider a version of this bill again because current statutes relating to pedestrians are needlessly restrictive and disproportionately impact people who do not drive and those who primarily rely upon walking as a means of transportation. These people are often low-income and walk out of necessity, as owning and operating a vehicle is prohibitively expensive. I am particularly supportive of this bill for the following reasons:

1. **Jaywalking laws are ineffective at producing safety results and instead create places which are hostile to walk, and leads to the over-policing of communities of color.**

In places like Virginia that have decriminalized jaywalking, there has been no change in fatalities for people walking.<sup>1</sup> However, in places that continue to criminalize jaywalking, we've seen the overrepresentation of people of color being involved in pretextual police stops, and therefore in the criminal justice system. For example, Kansas City found that from 2018-2021, 65% of jaywalking tickets were handed out to Black people walking and rolling even though Black people only make up 30% of the Kansas City population.<sup>2</sup> This pattern of disproportionate ticketing of Black people is also consistent in Seattle, New York, Sacramento, Florida, and Los Angeles.<sup>3</sup> While local data on the race or income of those ticketed for jaywalking is not yet available, the Prison Policy Initiative's Hawai'i Profile states that, Native Hawaiians and Pacific Islanders are 10% of the state population, but 39% of its prison and jail population.<sup>4</sup> This pattern may also reflect those ticketed for jaywalking.

**2. Jaywalking fines are prohibitively high particularly when compared to fines for far more dangerous behavior such as speeding.**

Fines for jaywalking range between \$100 and \$150 (plus fines), depending on the country, and the type of jaywalking violation.<sup>5</sup> These fines are less than some other driving-related traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities. For example, on O'ahu speeding (one to ten miles over the posted speed limit) only results in a fine of \$62 (plus \$5/mph over).<sup>6</sup>

**3. The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S** (where similar studies have been conducted).

For example, data on jaywalking citations given in Washington state (population appx. 7.7 million) was recently released by the Transportation Choices Coalition. This data shows that 9,833 jaywalking citations were issued across Washington state from 2000 to 2023, which averages about 428 citations per year.<sup>7</sup> This means that only 6 jaywalking citations are given per year for every 100,000 people in Washington state.

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<sup>1</sup> <https://americawalks.org/jaywalking-reform-progress/>

<sup>2</sup> [https://saferoutespartnership.org/sites/default/files/jaywalking\\_has\\_been\\_erased\\_from\\_kc-the\\_place\\_where\\_the\\_term\\_was\\_born\\_-\\_the\\_pitch\\_may\\_2021.pdf](https://saferoutespartnership.org/sites/default/files/jaywalking_has_been_erased_from_kc-the_place_where_the_term_was_born_-_the_pitch_may_2021.pdf)

<sup>3</sup> IBID.

<sup>4</sup> Prison Policy Initiative [Hawai'i Profile](#) 2010

<sup>5</sup> State of Hawaii Department of Transportation. *Frequently Asked Questions: What is the fine for pedestrians who jaywalk.* (2024). Available at:

<https://hidot.gov/highways/safe-communities/walkwisehawaii/faq/>.

<sup>6</sup> Honolulu Police Department. (2024). *Motor Vehicle Safety.* Available at:

<https://www.honoluluupd.org/information/motor-vehicle-safety/>.

<sup>7</sup> Transportation Choices Coalition. (2024). [Ticket to Walk: How Jaywalking Enforcement Impacts Washingtonians.](#)

Comparatively, a staggering 349 jaywalking citations are given per year for every 100,000 people in Hawai'i. While more analysis is needed to fully understand the geographic distribution of jaywalking citations, we found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O'ahu, such as Waipahu, Kalihi, Downtown/Chinatown, and Waikīkī.

Jaywalking enforcement and our current transportation system are not effective at improving pedestrian safety. Between 2021 and 2022, Hawai'i saw a 12% increase in pedestrian fatalities, and this number has been increasing over the last few years.<sup>8</sup> If we truly care about improving pedestrian safety, we need to change the way we allocate our budgets to fund projects that improve pedestrian safety and design our transportation facilities to reduce vehicle speed. The Federal Highway Administration has a great resource that includes proven safety countermeasures that Hawai'i could implement to see a substantial decrease in pedestrian crashes, hospitalizations, and deaths.<sup>9</sup> Some examples include implementing pedestrian medians or refuges, road diets, leading pedestrian intervals, and rectangular rapid flashing beacons.

Thank you for the opportunity to testify on this important measure that will help to improve mobility justice and reduce the unnecessary pretextual stops, potential for escalation, and therefore incarceration and burden on the justice system. The State of Hawai'i must remove jaywalking from its criminal code and shift the responsibility of safety from people walking and rolling to systems, policies, planning and design. This will reduce traffic violence which has seen a dramatic recent increase, and prevent the disparate policing of Native Hawaiians and Pacific Islanders. There are proven safety countermeasures to improve pedestrian safety that the State and Counties may better spend our time, resources, and budget, including tax payer dollars, that will help to save lives.

Thank you for the opportunity to provide testimony.

Mahalo,  
Kiana Otsuka

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<sup>8</sup> [State of Hawaii Traffic Fatalities](#)

<sup>9</sup> [Proven Safety Countermeasures | FHWA \(dot.gov\)](#)

**Testimony in Support for SB2630 - Relating to Pedestrians**  
**House Committee on Transportation**  
**February 12th, 2024**

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Aloha Chair Todd, Vice Chair Kila, and members of the committee,

Mahalo for the opportunity to express **STRONG SUPPORT for SB2630 SD1**, also referred to as the “Freedom to Walk” bill, which authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. Below are also suggested amendments to strengthen the bill.

**The number of jaywalking-related citations given in Hawai‘i is significantly higher than other localities in the U.S.** Based on a recent report titled “[Freedom to Walk](#)”, published by Hawai‘i Appleseed, from 2018 to 2023 there were 30,168 jaywalking citations given in Hawai‘i, with an average of 5,028 jaywalking citations per year. This does not include sealed cases or juvenile records.

In comparison, 9,833 jaywalking citations were issued across Washington state (population 7.7 million) from 2000 to 2023, which averages about 428 citations per year. This data means that only 6 jaywalking citations are given for every 100,000 people in Washington state. In comparison, a staggering 349 jaywalking citations are given for every 100,000 people in Hawai‘i. While more analysis is needed to understand the geographic distribution of jaywalking citations, we found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O‘ahu, such as Waipahu, Kalihi, Downtown/Chinatown, and Waikīkī.

Jaywalking enforcement leads to a myriad of negative impacts, including:

- 1. Hostility towards pedestrians.** Jaywalking laws were enacted in the 1920's following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent our growing pedestrian fatalities. Just as their early proponents hoped, jaywalking laws succeeded in creating a “moral basis” for pedestrian deaths. We see this reflected today in media reports. For example, in a 2019 study of local coverage of crashes involving pedestrians or bicyclists in Hawai‘i, 77% of the 162 media articles analyzed were found to focus on the actions of the pedestrian/bicyclist, and 69% of the articles did not mention a driver or vehicle.<sup>1</sup> Only 15% of the articles described a traffic safety solution.
- 2. Over-policing of Black and Brown communities.** Because police have broad discretion over their response to traffic violations, jaywalking lends itself to biased enforcement. This has proven to be true in every place jaywalking has been studied, including New York City, where a 2019 study found that 90% of jaywalking tickets in New York City were given to Black and Hispanic people,

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<sup>1</sup> L. Brooke Keliikoa, et. al. (2019). Public health framing in local media coverage of crashes involving pedestrians or bicyclists in Hawai‘i: A content analysis. Transportation Research Interdisciplinary Perspectives, Volume 13.

although they only make up 55% of the city's population.<sup>2</sup> Unfortunately, sociodemographic information (with the exception of gender) was not obtained by the police for jaywalking citations reviewed by Hawai'i Appleseed. Thus, it is difficult to assess with precision whether certain populations in Hawai'i are disproportionately impacted by jaywalking enforcement.

3. **Loss of state revenue.** Despite the heavy-handed approach to jaywalking enforcement in Hawai'i, these citations do not produce large sums of money for our local government. Based on our analysis, while the jaywalking citations given during the 2018-2023 time period resulted in over \$3.8 million in assessed fees, only \$854,947 of those fees were collected. Given the public resources required (police man hours, judiciary resources to process citations, etc.), this means that the state is likely losing revenue due to jaywalking enforcement.
4. **Debt collection and court records.** Fines for jaywalking range between \$100 and \$150 (plus fines), depending on the county, and the type of jaywalking violation.<sup>3</sup> These fines are less than some other driving-related traffic violations, such as speeding, which is a key contributor to traffic injuries and fatalities. As noted above, the majority of jaywalking citation fees in Hawai'i are not collected by the state. Unpaid tickets are typically sent to debt collectors, which can lead to damage to an individual's credit score. If left unpaid, debt can lead to legal consequences (such as potential court appearances and wage garnishment), difficulty in obtaining government services, as well as negative impacts to employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

We are following in the footsteps of other states such as Virginia, California, and cities such as Anchorage, Denver, and Kansas City who have implemented similar legislation to remove jaywalking penalties. This national effort has led to about 52 million people living in the US where this reform has occurred. Many states have found that by decriminalizing jaywalking<sup>4</sup> and other minor traffic violations, they have reduced the burden on the justice system, removed opportunities for escalations, and found more constructive applications of traffic safety resources.

Given that this effort is a relatively new one, there are many misconceptions about jaywalking and how removing jaywalking penalties will impact drivers and pedestrians. We are addressing some of the common misunderstandings below:

- **Removing jaywalking penalties has not been found to increase adverse public safety outcomes.** While some critics claim that this legislation will increase traffic collisions, preliminary data from localities where similar legislation was implemented show that there has been little to no change in the number of traffic injuries and fatalities. In fact, globally the cities with the lowest traffic death rates (mainly in Europe) do not have jaywalking laws. Notably, it is difficult to

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<sup>2</sup> Kuntzman, Gersh. (2020). *'Jaywalking While Black': Final 2019 Numbers Show Race-Based NYPD Crackdown Continues*. StreetsBlog NYC. Available at <https://nyc.streetsblog.org/>.

<sup>3</sup> State of Hawai'i Department of Transportation. *Frequently Asked Questions: What is the fine for pedestrians who jaywalk*. (2024). Available at: <https://hidot.hawaii.gov/highways/safe-communities/walkwisehawaii/faq/>.

<sup>4</sup> Streetsblog *"These Communities Are Making Progress After 'Jaywalking' Reform"* <https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-making-safety-progress-after-jaywalking-reform/>

assess the direct connection between jaywalking laws and changes to traffic violence, as pedestrian fatalities in the U.S. have been sharply increasing over the last decade, well before efforts to reform jaywalking laws occurred.

- **The legislation does not change the civil/criminal liability for drivers in the case of collisions.** While the current traffic code requires pedestrians to yield the right of way to all vehicles (except when in a marked crosswalk or a controlled intersection), it also mandates that drivers shall exercise “due care” to avoid colliding with any pedestrian. Similarly, the proposed Freedom to Walk legislation includes a provision that pedestrians must use due care to ensure their safety and the safety of others and should only cross the street when there is not a “immediate danger of a collision with a moving vehicle.” Given this, the proposed legislation is not expected to change the status quo of the civil/criminal liability that results from collisions between pedestrians and vehicles, as both parties are responsible for exercising due care.

**We are also offering the following suggested amendment to strengthen the current bill:**

- **Remove the language “provided that the pedestrian is more than two hundred feet from a marked crosswalk”** from the bill. This language minimizes the impact of this bill, given that the bill’s intent is to provide autonomy to pedestrians to determine when they feel safe to cross the street. Moreover, in practice, it will be nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.

Mahalo nui for the opportunity to testify on this important measure.

Molly Mamaril  
Kaimuki Resident

**SB-2630-SD-1**

Submitted on: 3/10/2024 11:30:04 AM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristy Arias	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Kristy Arias. I am a mom who has a 14-year-old son, and a 22-year-old daughter. I am testifying on behalf of myself and my ohana. I am testifying AGAINST bill number #2630 Relating to pedestrians.

My personal story is not one that I had shared with the community at all. I feel that this is my time to share my story with you. On January 14th, 2023, I was in a terrible car accident that resulted in a pedestrian fatality. The pedestrian was not walking in a marked crosswalk, and the lighting was very dark. I cannot tell you how much pain it has caused myself and my two children, and my daughter's boyfriend. My husband is a 911 dispatch and was on the 911 call for his own family. I know the circumstances of my accident are different, but it still counts. In areas that are dark, you just never know. People who lost family members by pedestrian fatality or the person who had hit the pedestrian faces incredible loss on both sides. Please, place yourself in your shoes. Also ask yourself, is there more we can do to help the community to be ready for the day that freedom to walk can exist without incident in Hawai'i.

Also, there are more cases of mental health issues in people. There are many areas that people cross because they aren't in their right mind or are in a hurry.

I just encountered today a person who was crossing the road (By Hilo Walmart and Prince Kuhio Plaza at 9am) in heavy traffic with the crosswalk 15ft from him. I stopped to let him cross, and so did the other car. I cannot stress to you how strongly I oppose this bill.

If this bill goes through, it puts a lot of stress on the drivers. I propose that more awareness is given to the public. More schools to get involved with reminders to their students to use the crosswalks, to look both ways before crossing. To have more crosswalks in needed places. I for one am getting in touch with schools to address my concerns. Please reconsider passing this bill through.

The most current data is 2019-2023 is 132 pedestrian fatalities, and 459 serious injuries. 39 percent of pedestrians involved were 17 years and younger. If this bill passes, it will impact Schools, Dr. Offices, dimly lit areas, and drivers.

Please think about what I have mentioned and think about other pedestrian accidents that have happened. I heavily oppose this bill going through.

Mahalo Nui Loa,  
Kristy Arias  
Kristyarias101@gmail.com  
(808)-938-0380



**SB-2630-SD-1**

Submitted on: 3/10/2024 12:39:12 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Wilson	Individual	Support	Written Testimony Only

Comments:

Testimony in support of SB2630;

Freedom to Walk Bill.

I have always been a jaywalker. One of my earliest memories was asking my mom when I would be old enough to walk across the street by myself. Her answer was when I was 5 (she was a jaywalker too). 5 was probably reasonable, as we lived in Eva Plantation in the early 70's and there was maybe 1 car per hour on our road and no one went fast. Still, and to this day, I have taken my life into my own hands and crossed, willt nilly, wherever I choose. I have never been 'caught' jaywalking, although that may be more an effect of white male privilege, then my diligence at avoiding the authorities.

In a state that allows adults to own and carry weapons as they will, it seems hypocritical to tell adults they can only cross the street in proscribed areas, at proscribed times, for their own good. As if I am incapable of knowing when it is safe to cross the street and only the state has the ability to tell me when and where is a safe moment to cross. I would describe myself as a liberal person, and complied with the mask mandate during the pandemic because I believed I was in the common good, not to mention polite and respectful of others, but to tell me where and when I can walk seems the definition of a nanny state.

Much better then being ticketed and fined and taking away the limited resources of our police force would to be educated. A marketing campaign for residents and tourists on how to be respectful of others when crossing the streets, seems a much better solution to me. I'm not suggesting that we should get of crosswalks, and I love the flashing signs by ward center, but to spend all the money and time to enforce a law that makes it illegal for me to cross an empty street seems wasteful, ridiculous, and disrespectful of my ability to make an informed decision.

Sincerely,

Michael Wilson

**SB-2630-SD-1**

Submitted on: 3/11/2024 9:26:54 AM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patti Hatzistavrakis	Individual	Support	Written Testimony Only

Comments:

I, Patti Hatzistavrakis, fully support 2630 SB RELATING TO PEDESTRIANS, to decriminalize Jaywalking. People should have the ability to walk freely, keeping in mind personal and public safety, without restriction. Jaywalking enforcement leads to a myriad of negative impacts, including hostility towards pedestrians, the potential for biased enforcement, loss of public resources, and presents an undue burden on those given citations due to the high fines involved.

I strongly urge the committee to pass Bill 2630 SB RELATING TO PEDESTRIANS and request that the bill be amended to remove the language "provided that the pedestrian is more than two hundred feet from a marked crosswalk" from the bill, as this minimizes the impact of this legislation. Also, in practice, it is nearly impossible for most pedestrians to determine, with accuracy, if they are more than 200 feet away from a crosswalk.

I appreciate the opportunity to testify in support of 2630 SB RELATING TO PEDESTRIANS and thank the Committee for your consideration of the bill.

## Testimony in Support for SB2630 - Relating to Pedestrians

I am writing in favor for SB2630 SD1, a bill that authorizes reasonably careful pedestrians to act contrary to the statewide traffic code (such as crossing the street), given no immediate danger of a collision with a moving vehicle.

In brief, I am aware of higher pedestrian fatalities throughout the years. For me, this testimony is not focused towards the safety (as I would like to assume that we are all here for the safety of our community), but rather, towards the power disparity and misdirected funding of law enforcement for the *perceived* safety of our community members.

Specifically, upon reading the recent report “Freedom to Walk”, by Hawai’i Appleseed, I had a negative emotional reaction towards our law enforcement upon realizing that our humble state has given at least 10x the amount of jaywalking citations than say, the state of Washington. To state boldly:

Hawai’i: average of **5,028 jaywalking citations per year**  
Washington: average of **428 jaywalking citations per year**

Hawai’i population size year 2023: **208,838**  
Washington population size year 2023: **7,951,150**

Please refer to the link here for full report: [https://static1.squarespace.com/static/601374ae84e51e430a1829d8/t/65e8bb7500e2be231c408423/1709751163899/Freedom+to+Walk\\_FINAL.pdf](https://static1.squarespace.com/static/601374ae84e51e430a1829d8/t/65e8bb7500e2be231c408423/1709751163899/Freedom+to+Walk_FINAL.pdf)

I am writing in favor of SB2630 SD1 because I believe that there could be a better way to redirect our attention and energy to the safety of pedestrians, without also simultaneously bring about mistrust, hate, and fear towards our law officers. Our government frequently hold systems of regulation that infers that individuals lack the common sense for safety, and tunnel in on the nuances of the written law, without much overall progress for the better good of our community.

Writing in favor of SB2630 SD1 challenges us to redirect our focus to the infrastructure and urban planning of our roads, to question, how can we build the roads for all different means of traveling? How can we better our cars? Our growing lack of attention?

The current pedestrian laws are as hypocritical as having drivers fined for texting, but not for eating. I can personally say that I have witnessed more pedestrians act upon safe unregulated “jay”walking. Any close calls were at fault of the drivers. To have both law enforcers and civilians alike lose money on our current laws just does not make sense to me in this day and time.

Thank you,

Tina

STATE PUBLIC DEFENDER

ASSISTANT PUBLIC DEFENDER

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March 11, 2024

**S.B. No. 2630 SD1: RELATING TO PEDESTRIANS**

Chair Todd, Vice Chair Kila, and Members of the Committee:

The Office of the Public Defender supports S.B. No. 2630 SD1, which authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle.

This bill will not only make Hawai'i streets more walkable and thus encourage more walking (which in turn improves health and the environment); this bill will also protect pedestrians who safely cross the street from burdensome fines and from arbitrary pretextual police stops.

Pedestrian citations place an undue financial burden on poor people who are more likely to rely on walking (and riding a bus, which involves walking to/from a bus stop) as a mode of transportation. For example, the fine for crossing a street at other than a crosswalk, in violation of HRS § 291C-73, is \$100 plus any associated court costs and fees. Moreover, if the fines and fees go unpaid, the matter will be sent to a collection agency, which will damage the pedestrian's credit rating.

This bill will also curb law enforcement from using jaywalking as a pretext to stop and harass people, especially homeless and people of color, in low-income and/or high-crime areas in order to check for warrants.

There have been jaywalking studies that show that minorities appear to be disproportionately targeted when jaywalking. ProPublica and the Florida Times-

Union conducted an investigation in 2017 in Jacksonville, Florida, and discovered that from 2012 to 2016, Black pedestrians were three times as likely to be stopped and cited for jaywalking as white pedestrians.<sup>1</sup> Black pedestrians received 55% of the jaywalking citations issued from 2012 to July 2017 even though Jacksonville’s population is only 29% Black.<sup>2</sup>

Similar results were found in Seattle, Washington, where out of the 1,710 jaywalking tickets issued from 2010 to 2016, 447 (26%) went to Black pedestrians, while Black people represent about 7% of the population.<sup>3</sup> In Los Angeles, California, with a 9% Black population, nearly 33% of pedestrians issued jaywalking tickets over the last decade were Black.<sup>4</sup>

The Washington study also found that unhoused residents represented nearly half of those impacted by jaywalking stops, as determined by the home address listed in police reports (which may be noted as “homeless,” “transient,” or the address of a shelter or service provider) or clear indications in an officer’s narrative report.<sup>5</sup>

Although no jaywalking studies have been conducted in Hawai‘i, studies have shown that Native Hawaiians and Pacific Islanders are disproportionately overrepresented in the criminal justice system. Native Hawaiians, which make up 18% of the state’s population, account for nearly 37% of the incarcerated population.<sup>6</sup> And according to the Honolulu Police Department’s 2019 Use of Force Report, which was reported in Civil Beat,<sup>7</sup> Native Hawaiians and Pacific Islanders

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<sup>1</sup> Topher Sanders and Kate Rabinowitz, Pro Publica, and Benjamin Conarck, Florida Times-Union, “Walking While Black,” November 16, 2017, available at <https://features.propublica.org/walking-while-black/jacksonville-pedestrian-violations-racial-profiling/>

<sup>2</sup> Id.

<sup>3</sup> Free to Walk Washington, “Black and Unhoused People Disproportionately Targeted for Jaywalking,” available at <https://freetowalkwa.org/data-black-people-disproportionately-targeted-for-jaywalking/>

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Final Report of the HCR 85 Task Force on Prison Reform, Summary and Key Recommendations, Office of Hawaiian Affairs, p.2, accessible online at [https://www.oha.org/wp-content/uploads/HCR85Summary\\_FINALv2.pdf](https://www.oha.org/wp-content/uploads/HCR85Summary_FINALv2.pdf)

<sup>7</sup> Anita Hofschneider, “Report: Honolulu Police Use of Force Increased Last Year,” Honolulu Civil Beat, November 11, 2020, available at <https://www.civilbeat.org/2020/11/report-honolulu-police-use-of-force-increased-last-year/>

accounted for 34.5% of use of force incidents, even though they make up only 23% of the population on the island of Oahu.<sup>8</sup>

Thank you for the opportunity to comment on this measure.

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<sup>8</sup> The 2020 Census reports that Native Hawaiians, Pacific Islanders, part-Native Hawaiians, and part-Pacific Islands made up 27.1% of the general population. See United States Census Bureau, Hawaii: 2020 Census, available at <https://www.census.gov/library/stories/state-by-state/hawaii-population-change-between-census-decade.html>

**SB-2630-SD-1**

Submitted on: 3/11/2024 3:27:08 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

Jaywalking laws were enacted in the 1920s following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent the nation’s growing traffic violence. Moreover, jaywalking tickets disproportionately impact people of color.

Over the past few years, legislation to repeal or reform jaywalking laws has been enacted in Virginia, California, Nevada, Denver, and in Kansas City. About 51 million Americans now live in places where jaywalking has been decriminalized in some form.

In Hawai‘i, jaywalking laws have not been successful in reducing pedestrian deaths. It is time for our state to shift resources away from penalizing pedestrians, and redirect resources towards providing infrastructure so that people can safely walk, bike and roll.

**SB-2630-SD-1**

Submitted on: 3/11/2024 5:48:35 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

Jaywalking laws were enacted in the 1920s following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent the nation's growing traffic violence. Moreover, jaywalking tickets disproportionately impact people of color.

Over the past few years, legislation to repeal or reform jaywalking laws has been enacted in Virginia, California, Nevada, Denver, and in Kansas City. About 51 million Americans now live in places where jaywalking has been decriminalized in some form.

In Hawai'i, jaywalking laws have not been successful in reducing pedestrian deaths. It is time for our state to shift resources away from penalizing pedestrians, and redirect resources towards providing infrastructure so that people can safely walk, bike and roll.



**SB-2630-SD-1**

Submitted on: 3/11/2024 7:55:27 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Danielle Beaver	Individual	Support	Written Testimony Only

Comments:

Jaywalking laws were enacted in the 1920s following a lobbying campaign by the auto industry to shift the blame onto pedestrians for the national rise in traffic fatalities. Unfortunately, jaywalking laws have done little to prevent the nation's growing traffic violence. Moreover, jaywalking tickets disproportionately impact people of color.

Over the past few years, legislation to repeal or reform jaywalking laws has been enacted in Virginia, California, Nevada, Denver, and in Kansas City. About 51 million Americans now live in places where jaywalking has been decriminalized in some form.

In Hawai'i, jaywalking laws have not been successful in reducing pedestrian deaths. It is time for our state to shift resources away from penalizing pedestrians, and redirect resources towards providing infrastructure so that people can safely walk, bike and roll.

**SB-2630-SD-1**

Submitted on: 3/11/2024 9:57:18 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Kila, and members of the House Committee on Transportation,

I am in strong support of SB2630 SD1. If pedestrians deem themselves safe when crossing a street, why are we punishing them financially? The fact that they are mostly people of color (many of whom are also low-income) makes this bill even more important in terms of racial and economic equity.

Thank you for your consideration.

**SB-2630-SD-1**

Submitted on: 3/11/2024 11:27:13 PM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tony Radmilovich	Individual	Support	Written Testimony Only

Comments:

I support elimination of jaywalking penalties

**SB-2630-SD-1**

Submitted on: 3/12/2024 8:02:51 AM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chad K Taniguchi	Individual	Comments	Written Testimony Only

Comments:

I have some reservations about this bill because some pedestrian crashes are caused by careless pedestrians.

if this bill means pedestrians can decide to start crossing if they determine they can cross before a countdown timer reaches zero, then I'm in favor. Ticket pedestrians who fail to cross in time, not those who start while there is still time.

Those who control our street signals could make signals more pedestrian friendly and less car-centric by always having a walk phase instead of requiring a push button.

Drivers and police should remember there is an invisible crosswalk at every intersection, regardless of whether one is painted or not, and the person walking can proceed with caution. Pali Hwy and Uluhala near Castle hospital is a good example.

**SB-2630-SD-1**

Submitted on: 3/12/2024 8:27:23 AM

Testimony for TRN on 3/12/2024 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hunter Heavilin	Individual	Support	Written Testimony Only

Comments:

This legislation is important as it addresses the overly restrictive nature of current pedestrian laws. By recognizing the judgment of pedestrians to safely cross streets when no immediate danger is present, the bill acknowledges the reality that many residents depend on walking as their primary means of transportation. The current fines and restrictions disproportionately affect those without access to a vehicle, making it essential to reconsider our approach to pedestrian safety.

The bill is also rooted in practical benefits, drawing on successful precedents such as California's Freedom to Walk Act. It encourages walking by making our streets safer and more accessible, which in turn can lead to improved public health, reduced personal transportation costs, and lower carbon emissions. By amending Chapter 291C of the Hawaii Revised Statutes, the bill introduces a provision that allows for more freedom for pedestrians, while still holding them to a standard of care for their safety and the safety of others. This balanced approach respects the autonomy of individuals to make safe crossing decisions, without compromising the safety of pedestrians and drivers.