

JAN 23 2025

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

SECTION 1. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§291C- Vehicles blocking crosswalks. Vehicles stopped on and blocking any marked crosswalk at any time shall be subject to a fine not greater than \$500, excepting situations of emergency or unless ordered by law enforcement."

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

"§291-2 Reckless driving of vehicle or riding of animals; penalty. Whoever operates any vehicle or rides any animal recklessly in disregard of the safety of persons or property is guilty of reckless driving of vehicle or reckless riding of an animal, as appropriate, and shall be fined not more than \$1,000 or imprisoned not more than thirty days, or both~~[-]~~; provided that the following additional penalties shall also apply:



- 1 (1) For an offense that occurs within five years of a
2 prior conviction, a ninety-day license suspension; and
3 (2) For an offense that occurs within five years of two
4 prior convictions, a license revocation of not more
5 than two years, and completion of an examination
6 pursuant to section 286-108."

7 SECTION 3. Section 291C-105, Hawaii Revised Statutes, is
8 amended by amending subsection (c) to read as follows:

9 "(c) Any person who violates this section shall be guilty
10 of a petty misdemeanor and shall be sentenced as follows without
11 the possibility of probation or suspension of sentence:

- 12 (1) For a first offense not preceded by a prior conviction
13 for an offense under this section in the preceding
14 five years:

15 (A) A fine of not less than \$500 and not more than
16 \$1,000;

17 (B) Thirty-day prompt suspension of license and
18 privilege to operate a vehicle during the
19 suspension period, or the court may impose, in
20 lieu of the thirty-day prompt suspension of
21 license, a minimum fifteen-day prompt suspension



1 of license with absolute prohibition from
2 operating a vehicle and, for the remainder of the
3 thirty-day period, a restriction on the license
4 that allows the person to drive for limited
5 work-related purposes;

6 (C) Attendance in a course of instruction in driver
7 retraining;

8 (D) A surcharge of \$25 to be deposited into the
9 neurotrauma special fund;

10 (E) May be charged a surcharge of up to \$100 to be
11 deposited into the trauma system special fund if
12 the court so orders;

13 (F) An assessment for driver education pursuant to
14 section 286G-3; and

15 (G) Either one of the following:

16 (i) Thirty-six hours of community service work;
17 or

18 (ii) Not less than forty-eight hours and not more
19 than five days of imprisonment;



- 1 (2) For an offense that occurs within five years of a
2 prior conviction for an offense under this section,
3 by:
4 (A) A fine of not less than \$750 and not more than
5 \$1,000;
6 (B) Prompt suspension of license and privilege to
7 operate a vehicle for a period of [~~thirty~~] ninety
8 days with an absolute prohibition from operating
9 a vehicle during the suspension period;
10 (C) Attendance in a course of instruction in driver
11 retraining;
12 (D) A surcharge of \$25 to be deposited into the
13 neurotrauma special fund;
14 (E) May be charged a surcharge of up to \$100 to be
15 deposited into the trauma system special fund if
16 the court so orders;
17 (F) An assessment for driver education pursuant to
18 section 286G-3; and
19 (G) Either one of the following:
20 (i) Not less than one hundred twenty hours of
21 community service work; or



(ii) Not less than five days but not more than fourteen days of imprisonment of which at least forty-eight hours shall be served consecutively; and

(3) For an offense that occurs within five years of two prior convictions for offenses under this section, by:

(A) A fine of \$1,000;

(B) Revocation of license and privilege to operate a vehicle for a period of not less than ninety days but not more than ~~[one year,]~~ two years;

(C) Attendance in a course of instruction in driver retraining~~[+]~~, and completion of an examination pursuant to section 286-108;

(D) ~~[No]~~ Not fewer than ten days but ~~[no]~~ not more than thirty days of imprisonment of which at least forty-eight hours shall be served consecutively;

(E) A surcharge of \$25 to be deposited into the neurotrauma special fund;



(F) May be charged a surcharge of up to \$100 to be deposited into the trauma system special fund if the court so orders; and

(G) An assessment for driver education pursuant to section 286G-3."

SECTION 4. Section 291E-15, Hawaii Revised Statutes, is amended to read as follows:

"§291E-15 Refusal to submit to breath, blood, or urine test; subject to administrative revocation proceedings. If a person under arrest refuses to submit to a breath, blood, or urine test, none shall be given, except as provided in section 291E-21, or pursuant to a search warrant issued by a judge upon a finding of probable cause supported by oath or affirmation, or pursuant to any other basis permissible under the Constitution of the State of Hawaii and laws of this State. Upon the law enforcement officer's determination that the person under arrest has refused to submit to a breath, blood, or urine test, if applicable, then a law enforcement officer shall:

(1) Inform the person under arrest of the sanctions under section 291E-41 or 291E-65; and



1 (2) Ask the person if the person still refuses to submit
2 to a breath, blood, or urine test, thereby subjecting
3 the person to the procedures and sanctions under part
4 III or section 291E-65, as applicable;
5 provided that if the law enforcement officer fails to comply
6 with paragraphs (1) and (2), the person shall not be subject to
7 the refusal sanctions under part III or IV; provided further
8 that if the person continues to refuse to submit to a breath,
9 blood, or urine test after the law enforcement officer complies
10 with paragraph (2), the person shall surrender the person's
11 license to the law enforcement officer."

12 SECTION 5. Section 291E-65, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) If the district judge finds the statements contained
15 in the affidavit are true, the judge shall suspend the arrested
16 person's license and privilege to operate a vehicle as follows:

17 (1) For a first suspension, or any suspension not preceded
18 within a five-year period by a suspension under this
19 section, for a period of [~~twelve months; and~~] three
20 years; and



1 (2) For any subsequent suspension under this section, for
2 a period not less than ~~[two]~~ three years and not more
3 than five years.

4 An appeal of any license suspension may be filed with the
5 administrative drivers license revocation office within thirty
6 days of a judge's suspension."

7 SECTION 6. Section 291L-2, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "~~[+]~~**\$291L-2[+]** **Automated speed enforcement systems**
10 **program; established.** (a) There shall be established the
11 automated speed enforcement systems program, which shall be
12 implemented by the State to enforce the speed restriction laws
13 of the State. The automated speed enforcement system program
14 shall be limited to only those locations where a photo red light
15 imaging detector system has been implemented pursuant to
16 chapter-291J.

17 (b) Automated speed enforcement systems may be implemented
18 along a road or highway within two hundred feet of a school zone
19 identified by the safe routes to school advisory committee for
20 the promotion of public health, safety, and welfare."



SECTION 7. (a) The State highway safety and modernization council shall:

- (1) Identify the top one hundred most dangerous intersections in the State based on fatality, injury, and crash data since January 1, 2014;
- (2) Examine and identify vehicles or classes of vehicles that are more dangerous and likely to cause fatalities and injuries on the State's roadways;
- (3) Examine vehicle weight, registration, and other related taxes or fees throughout the United States;
- (4) Examine and identify communities and areas where there is a single ingress or egress, or otherwise limited access, that may create risk to communities during emergencies;
- (5) Develop proposals for minimal emergency ingress and egress routes that shall be accessible to vehicles as one-way exit routes during emergencies or extreme congestion where emergency services may be jeopardized but may be available for pedestrian, bicycle, or similar access; and
- (6) Submit:



(A) A list of five areas to be addressed from the developed proposals for minimal emergency ingress and egress routes under paragraph (5) to the department of transportation; and

(B) Recommendations, including any proposed legislation, to the legislature, no later than twenty days prior to the convening of the regular session of 2026.

(b) The state highway safety and modernization council may select up to twenty-five intersections where the department of transportation may install photo red light imaging detector systems in addition to those currently operating, pursuant to chapter 291J; provided that signals shall be changed so pedestrians have not less than a four-second lead time to begin crossing the intersection prior to vehicles being permitted to proceed at each intersection where a photo red light imaging detector system is installed.

(c) The department of transportation and county transit agencies shall assist the state highway safety and modernization council to develop actionable projects to implement for areas of minimal emergency ingress and egress.



1 SECTION 8. (a) The safe routes to school advisory
2 committee shall identify twenty-five of the most dangerous
3 school zones in the State based on fatality, injury, and crash
4 data since January 1, 2014, and any outreach and complaints from
5 schools and the surrounding community.

6 (b) The department of transportation may install
7 additional speed enforcement systems pursuant to chapter 291L,
8 at school zone locations that the safe routes to school advisory
9 committee identifies as dangerous; provided that any enforcement
10 system shall be positioned not more than two hundred feet from
11 the school property in each school zone.

12 SECTION 9. When planning and managing state highways, in
13 areas where state highways bisect communities with residential
14 areas and commercial areas immediately along a highway, design
15 features and speeds shall be determined by the National
16 Association of City Transportation Officials' standards, which
17 are better suited for lower speed urban and rural communities.

18 In areas where state highways do not bisect communities
19 with residential areas and commercial areas immediately along a
20 highway, design features and speeds shall be determined by
21 American Association of State Highway and Transportation



1 Officials' standards, which are better suited for moving
2 vehicles and people as quickly as possible.

3 SECTION 10. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$500,000 or so much
5 thereof as may be necessary for fiscal year 2025-2026 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2026-2027 for the department of transportation to coordinate
8 with the metropolitan planning organizations for training and
9 education for all levels of government focused on traffic
10 safety, multimodal and pedestrian infrastructure, and other
11 priorities as may be appropriate.

12 The sums appropriated shall be expended by the department
13 of transportation for the purposes of this Act.

14 SECTION 11. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2025-2026 and
17 the same sum or so much thereof as may be necessary for fiscal
18 year 2026-2027 for the department of transportation to
19 effectuate the purposes of this Act.

20 The sums appropriated shall be expended by the department
21 of transportation for the purposes of this Act.



1 SECTION 12. If any provision of this Act, or the
2 application thereof to any person or circumstance, is held
3 invalid, the invalidity does not affect other provisions or
4 applications of the Act that can be given effect without the
5 invalid provision or application, and to this end the provisions
6 of this Act are severable.

7 SECTION 13. This Act does not affect rights and duties
8 that matured, penalties that were incurred, and proceedings that
9 were begun before its effective date.

10 SECTION 14. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 15. This Act shall take effect on July 1, 2025.

13
INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'C. L. ...', is written over a horizontal line.

S.B. NO. 1667

Report Title:

DOT; State Highway Safety and Modernization Council; Safe Routes to Schools Advisory Committee; Motor Vehicles; Safety; Penalties; Reckless Driving; Excessive Speeding; Crosswalks; Traffic Regulations; Driving Under the Influence; Report; Appropriations

Description:

Prohibits any vehicles from blocking marked crosswalks. Establishes additional penalties for repeat convictions for reckless driving and excessive speeding. Requires a person under arrest who refuses to submit to a breath, blood, or urine test to surrender their license to a law enforcement officer. Increases the duration of the suspension of a license when a person is arrested for driving under the influence and refuses to submit a breath, blood, or urine test. Allows the appeal of any license suspension to be filed with the administrative driver's license revocation office. Authorizes the State Highway Safety and Modernization Council to implement an additional twenty-five photo red light imaging detector systems. Authorizes the Department of Transportation to implement an additional twenty-five speed enforcement systems in school zones as designated by the Safe Routes to School Advisory Committee. Establishes requirements for the State Highway Safety and Modernization Council. Requires a report to the Legislature. Appropriates funds.

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

