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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

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

4 "**§291C- Vehicles blocking crosswalks.** Vehicles stopped  
5 on and blocking any marked crosswalk at any time shall be  
6 subject to a fine not greater than \$500, excepting situations of  
7 emergency or unless ordered by law enforcement. The placement  
8 of signs or curb markings at the crosswalk shall not be  
9 necessary for the purposes of enforcing this section."

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

12 "**§291-2 Reckless driving of vehicle or riding of animals;**  
13 **penalty.** Whoever operates any vehicle or rides any animal  
14 recklessly in disregard of the safety of persons or property is  
15 guilty of reckless driving of vehicle or reckless riding of an  
16 animal, as appropriate, and shall be fined not more than \$1,000



1 or imprisoned not more than thirty days, or both[-]; provided  
2 that the following additional penalties shall also apply:

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

9 SECTION 3. Section 291E-15, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 **"§291E-15 Refusal to submit to breath, blood, or urine**  
12 **test; subject to administrative revocation proceedings.** If a  
13 person under arrest refuses to submit to a breath, blood, or  
14 urine test, none shall be given, except as provided in  
15 section 291E-21, or pursuant to a search warrant issued by a  
16 judge upon a finding of probable cause supported by oath or  
17 affirmation, or pursuant to any other basis permissible under  
18 the Constitution of the State of Hawaii and laws of this State.  
19 Upon the law enforcement officer's determination that the person  
20 under arrest has refused to submit to a breath, blood, or urine  
21 test, if applicable, then a law enforcement officer shall:



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

3 (2) Ask the person if the person still refuses to submit  
4 to a breath, blood, or urine test, thereby subjecting  
5 the person to the procedures and sanctions under part  
6 III or section 291E-65, as applicable;

7 provided that if the law enforcement officer fails to comply  
8 with paragraphs (1) and (2), the person shall not be subject to  
9 the refusal sanctions under part III or IV[-]; provided further  
10 that, if the person continues to refuse to submit to a breath,  
11 blood, or urine test after the law enforcement officer complies  
12 with paragraph (2), the person shall surrender the person's  
13 license to the law enforcement officer."

14 SECTION 4. Section 291E-65, Hawaii Revised Statutes, is  
15 amended by amending subsection (c) to read as follows:

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

19 (1) For a first suspension, or any suspension not preceded  
20 within a five-year period by a suspension under this



1 section, for a period of [~~twelve months; and~~] three  
2 years; and

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

6 SECTION 5. Section 291L-2, Hawaii Revised Statutes, is  
7 amended to read as follows:

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

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



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



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

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

9 (b) The state highway safety and modernization council may  
10 select up to twenty-five intersections where the department of  
11 transportation may install photo red light imaging detector  
12 systems in addition to those currently operating, pursuant to  
13 chapter 291J; provided that signals shall be changed so  
14 pedestrians have not less than a four-second lead time to begin  
15 crossing the intersection prior to vehicles being permitted to  
16 proceed at each intersection where a photo red light imaging  
17 detector system is installed; provided further that citations  
18 shall not be issued for any photo red light imaging detector  
19 system installed pursuant to this subsection prior to  
20 January 1, 2027.



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

5 SECTION 7. (a) The safe routes to school advisory  
6 committee shall identify twenty-five of the most-dangerous  
7 school zones in the State based on fatality, injury, and crash  
8 data since January 1, 2014, and any outreach and complaints from  
9 schools and the surrounding community.

10 (b) The department of transportation or county agencies  
11 may install additional automated speed enforcement systems  
12 pursuant to chapter 291L, Hawaii Revised Statutes, at school  
13 zone locations that the safe routes to school advisory committee  
14 identifies as dangerous; provided that any enforcement system  
15 shall be positioned not more than two hundred feet from the  
16 school property in each school zone; provided further that  
17 citations shall not be issued for any automated speed  
18 enforcement system installed pursuant to this subsection prior  
19 to January 1, 2027.

20 SECTION 8. When planning and managing state highways, in  
21 areas where state highways bisect communities with residential



1 areas and commercial areas immediately along a highway, design  
2 features and speeds shall be determined by the National  
3 Association of City Transportation Officials' standards, which  
4 are better suited for lower speed urban and rural communities.

5 In areas where state highways do not bisect communities  
6 with residential areas and commercial areas immediately along a  
7 highway, design features and speeds shall be determined by  
8 American Association of State Highway and Transportation  
9 Officials' standards, which are better suited for moving  
10 vehicles and people as quickly as possible.

11 SECTION 9. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so  
13 much thereof as may be necessary for fiscal year 2025-2026 and  
14 the same sum or so much thereof as may be necessary for fiscal  
15 year 2026-2027 for the department of transportation to  
16 coordinate with the metropolitan planning organizations for  
17 training and education for all levels of government focused on  
18 traffic safety, multimodal and pedestrian infrastructure, and  
19 other priorities as may be appropriate.

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





1 SECTION 10. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2025-2026 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2026-2027 for the department of transportation to  
6 effectuate the purposes of this Act; provided that the  
7 department of transportation may transfer all or a portion of  
8 the appropriation in this section to county agencies to  
9 effectuate the purposes of this Act.

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

12 SECTION 11. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$ or so much  
14 thereof as may be necessary for fiscal year 2025-2026 and the  
15 same sum or so much thereof as may be necessary for fiscal year  
16 2026-2027 to update the judiciary's information management  
17 system to pull data from law enforcement citations and transfer  
18 the data into court records.

19 The sums appropriated shall be expended by the judiciary  
20 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, 2050.



**Report Title:**

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

**Description:**

Prohibits any vehicles from blocking marked crosswalks. 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 to a breath, blood, or urine test. Authorizes the State Highway Safety and Modernization Council to implement an additional 25 photo red light imaging detector systems. Authorizes the Department of Transportation to implement an additional 25 automated 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 moneys. Effective 7/1/2050. (SD2)

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