



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on H.C.R. 136/H.R. 130
URGING THE CITY AND COUNTY OF HONOLULU TO IMPLEMENT REGULATIONS REQUIRING
PEDESTRIANS TO WEAR REFLECTIVE GEAR BETWEEN THE HOURS OF DUSK AND DAWN**

REPRESENTATIVE DARIUS K. KILA, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION

Hearing Date: March 25, 2025

Room Number: Conference Room 430
via Videoconference

1 **Fiscal Implications:** The Department of Health (DOH) defers to the City and County of Honolulu
2 and the Department of Transportation Services regarding any fiscal implications of
3 implementation.

4 **Department Position:** The DOH respectfully provides comments on the potential public health
5 impacts of House Concurrent Resolution 136 (H.C.R. 136) which urges the City and County of
6 Honolulu to implement regulations requiring pedestrians to wear reflective gear between the
7 hours of dusk and dawn.

8 **Department Testimony:** Although laboratory studies indicate that reflective materials can
9 improve visibility under low-light conditions, real-world effectiveness remains questionable. In
10 Italy, a nationwide law requiring cyclists to wear high-visibility clothing when riding after dusk
11 and before dawn did not produce any decrease in crashes.¹ Additionally, research by the
12 Insurance Institute for Highway Safety (IIHS) found that high-visibility clothing might reduce the
13 effectiveness of automated crash prevention systems, as these systems may fail to detect
14 pedestrians wearing such attire.² In contrast, interventions such as improved street lighting,

¹ Prati, G. (2018). The effect of an Italian nationwide mandatory visibility aids law for cyclists. *Journal of Transport & Health*, 9, 212-216.

² High-visibility clothing may thwart pedestrian crash prevention sensors. (n.d.). IIHS-HLDI Crash Testing and Highway Safety. <https://www.iihs.org/news/detail/high-visibility-clothing-may-thwart-pedestrian-crash-prevention-sensors>

1 traffic calming measures, roadway redesign and other environmental and systemic changes
2 have repeatedly been shown to lower injury and fatality rates more reliably than measures that
3 rely solely on pedestrian behavior change.³

4 Mandating reflective gear places the onus of safety on pedestrians rather than
5 addressing driver behavior or environmental factors. Any regulation that compels pedestrians
6 to wear reflective gear can inadvertently exacerbate existing inequities, such as households
7 with limited financial resources, disabilities, or those engaged in occupations requiring
8 nighttime travel might face disproportionate burdens. Resources would be better allocated to
9 system-level changes such as enhancing street lighting, modifying road designs, and
10 implementing “safe systems” approaches that address the root causes of pedestrian crashes.
11 Such strategies are supported by a broader body of evidence⁴ indicating that structural
12 interventions yield greater long-term benefits in reducing traffic injuries and fatalities.

13 Despite Hawaii’s favorable climate, geography, and reputation for active outdoor living,
14 only 25% of Hawaii residents, in 2019, met federal guidelines for physical activity.⁵ The design
15 of roads that integrate options like walking and bicycling is a public health concern since the
16 safety and accessibility of the built environment in communities can promote or hinder physical
17 activity.

18 Safe, accessible, and walkable communities encourage physical activity and can
19 promote better health outcomes in communities whose populations are at greater risk for
20 serious chronic diseases and conditions such as obesity, heart disease, and diabetes.⁶
21 Additionally, encouraging walking and biking reduces reliance on motor vehicles, leading to
22 decreased air pollution in the form of vehicular exhaust and non-exhaust emissions such as tire

³ Retting, R. A., Ferguson, S. A., & McCartt, A. T. (2003). A review of evidence-based traffic engineering measures designed to reduce pedestrian–motor vehicle crashes. *American journal of public health*, 93(9), 1456-1463.

⁴ Vision Zero Network. (2025, February 12). *Demystifying the safe System Approach* | Vision Zero Network. https://visionzeronetWORK.org/resources/demystifying-the-safe-system-approach/?utm_source=chatgpt.com

⁵ Hawaii Health Data Warehouse, Hawaii State Department of Health, Behavioral Risk Factor Surveillance System, 2019.

⁶ CDC *About Physical Activity*. 2021.

1 particulate matter.⁷ This contributes to cleaner air and a healthier environment, addressing
2 both immediate and long-term public health concerns.

3 **Offered Amendments:** None

4 Thank you for the opportunity to testify.

⁷ American Lung Association. Health Impact of Pollution | State of the air. (n.d.). <https://www.lung.org/research/sota/health-risks>

DEPARTMENT OF TRANSPORTATION SERVICES
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J. ROGER MORTON
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JON Y. NOUCHI
DEPUTY DIRECTOR
HOPE PO'O

TESTIMONY OF J. ROGER MORTON
DIRECTOR OF TRANSPORTATION SERVICES

BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION
Tuesday, March 25, 2025, 9:10 AM
Conference RM 430 and Via Videoconference

TO: Rep. Darius K. Kila, Chair, Rep. Tina Nakada Grandinetti, Vice Chair, and Members of the Committee on Transportation

RE: TESTIMONY ON HOUSE CONCURRENT RESOLUTION 136/HOUSE RESOLUTION 130, URGING THE CITY AND COUNTY OF HONOLULU TO IMPLEMENT REGULATIONS REQUIRING PEDESTRIANS TO WEAR REFLECTIVE GEAR BETWEEN THE HOURS OF DUSK AND DAWN, WITH COMMENTS

The Department of Transportation Services (DTS), City and County of Honolulu (City), provides the following comments regarding the House Concurrent Resolution No. 136/House Resolution/130, Urging the City and County of Honolulu to Implement Regulations Requiring Pedestrians to Wear Reflective Gear Between the Hours of Dusk and Dawn.

DTS appreciates that the intent of the Concurrent Resolution is to improve pedestrian visibility during the more statistically dangerous travel hours of darkness, dusk, and dawn.

Our data shows that the most traffic crashes occur on roadways with high risk characteristics: streets that have higher numbers of lanes, higher speed limits, and higher traffic volumes. The most common contributing factors to fatal traffic crashes are due to driver inattention (33%), impairment (33%) and speed (32%). Lack of lighting or visibility due to time of day is a smaller contributing factor, at 14% for locations at night with no lighting, and 11% for locations with continuous or spot illumination.

To address this, the City has committed to Complete Streets principles adopted in 2012 (ROH 14-18) which codifies a more comprehensive approach to planning, design, and construction of our transportation systems. The first objective of the Complete Streets principles is to improve safety. Other objectives include protection of mobility for all, and encouraging opportunity for physical activity and recognize(ing) the health benefits of an active lifestyle.

The DTS has been working on safety improvements in the built environment as part of our planning, design, and construction work. The Vision Zero Action Plan (2024) maps a series of Safe System Elements and Goals, informed by national and international best practices and extensive community and stakeholder input. The Safe System Elements include Safe Speeds, Safe Streets, Safe People, Post Crash Care, and Safe Vehicles. Each element has

House Committee on Transportation
H.R. No 130 / H.C.R. No. 136

documented actions that the City and our communities have identified as meaningful ways to work together to develop safer transportation for all modes of travel.

One of the most important elements of the Vision Zero Action Plan, and planning for safety in general, is the recognition that safety culture is a multi faceted effort, with many actions that create the “net” of safety. The use of personal protective equipment (PPE), in traffic safety, and in any industry that utilizes PPE, is considered the last line of defense, the least effective control measure, and supplementary only to more effective methods including engineering controls. PPE alone is not a sufficient control measure, and to offer a Concurrent Resolution that burdens a pedestrian with a dress code requirement seems inconsistent with the City's focus on complete streets improvements.

The DTS is committed to continuing our work in safety as part of our ongoing maintenance and rehabilitation work, as well as in context as part of as planning, design, and construction. There is a need to encourage active transportation as part of our community's public health, as our aging population shifts away from private car ownership, and as we try to improve traffic and parking issues on our island. We are focusing on great places for people to walk in safety and with enjoyment.

Thank you for the opportunity to submit this testimony with comments.



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COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

DATE: Tuesday, March 25, 2025

TIME: 9:10 a.m.

PLACE: Conference Room 430

HCR 136 / HR 130 Pedestrian Reflective Gear

COMMENTS

The intent of the resolution to decrease pedestrian fatalities is great.

The National Highway Traffic Safety Administration reported, "In 2022 there were 7,522 pedestrians killed in traffic crashes." ¹

The resolution states "according to the Governors Highway Safety Association report, in 2022 approximately two hundred seventy fatal pedestrian crashes occurred during dawn or dusk."

Thus, dusk to dawn pedestrian fatalities appear to represent 3.6% (270/7522) of all pedestrian fatalities.

Data-based evidence is key to understanding the issues and developing policies.

¹ <https://rosap.nhtl.bts.gov/view/dot/78004>

Driving while holding a cell phone in one hand and coffee in the other hand should be discouraged. Honolulu does not need signs to tell motorists to drive safely, nor fencing to block access.

Any regulation should not be used as another method of **targeting and ticketing houseless people**. If the city implements policies, it should give out free reflective gear to houseless people that is not confiscated during houseless sweeps.

Windshield glare is maximum when the sun is low in the horizon in the two hours preceding dusk and the two hours after dawn. Intuitively, this is when many car-pedestrian accidents occur.

Mahalo

Henry Curtis,
Executive Director



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Get Fit Kauai Strongly Opposes 136 HCR

My name is Bev Brody and I am the Director of Get Fit Kauai, the Health Eating Active Living Coalition of Kauai County. We are a community-focused organization dedicated to promoting health, fitness, and sustainable transportation options for residents of Kauai.

Get Fit Kauai strongly opposes the resolution HCR 136 which urges the City and County of Honolulu to implement regulations requiring pedestrians to wear reflective gear between the hours of dusk and dawn. While safety is undoubtedly important, this measure unfairly burdens individuals, particularly those who may not have access to such gear or may be unable to afford it.

Instead of focusing on punitive regulations that place unnecessary burdens on pedestrians, we should prioritize comprehensive infrastructure improvements that address the root causes of pedestrian safety concerns. This includes enhancing street lighting to ensure better visibility for both pedestrians and drivers, upgrading crosswalks with clearer markings and more accessible designs, and investing in traffic calming measures to slow down vehicles in high-pedestrian areas. Additionally, we should launch public awareness campaigns to educate both drivers and pedestrians about safe practices, promoting a culture of mutual respect and responsibility on the roads.

Pedestrian safety should be addressed holistically, ensuring safer environments for all, without creating unnecessary barriers for our community members.

Thank you for considering our perspective.

Mahalo,

Bev Brody

Get Fit Kauai – Director

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

Community Coalition of Kauai County

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HOUSE COMMITTEE ON TRANSPORTATION - Tuesday, March 25, 2025 - 9:10am

Hawai'i Bicycling League Opposes HCR136/HR130, relating to Pedestrian Safety

Aloha Chair Kila, Vice Chair Grandinetti, 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.

HBL appreciates the opportunity to submit testimony regarding the resolution urging the City & County of Honolulu to require pedestrians to wear reflective clothing from dusk to dawn. While we share the deep concern for the safety of all road users, we respectfully oppose this resolution as it shifts responsibility away from the root causes of pedestrian related crashes and instead places an undue burden on the most vulnerable road users. We do support increased education campaigns regarding roadway safety, especially focused on keeping vulnerable road users safe.

Pedestrian fatalities and serious injuries are a tragic and preventable issue, but the primary contributors to these incidents are well-documented: speeding, distracted driving, impaired driving, and inadequate infrastructure that fails to prioritize pedestrian safety. Rather than requiring pedestrians to modify their behavior to accommodate unsafe road conditions and negligent driving, we urge the Legislature and the City & County of Honolulu to focus on proven strategies that will have a meaningful impact on saving lives:

1. **Improving Infrastructure** – Investments in safer street designs, such as better lighting, raised crosswalks, pedestrian refuges, and protected intersections are critical in reducing pedestrian fatalities.
2. **Enhancing Driver Education** – Expanding public awareness campaigns and driver education programs to emphasize yielding to pedestrians and safe driving practices at night.
3. **Enforcing Existing Laws** – Stronger enforcement of existing traffic laws, such as speed limits and crosswalk yielding laws, will be far more effective in preventing crashes than requiring pedestrians to wear specific clothing.
4. **Adopting Vision Zero Strategies** – Implementing policies that prioritize human lives over vehicle speed, as recommended in the City & County of Honolulu's Vision Zero Action Plan.

Mandating reflective clothing for pedestrians suggests that they are responsible for avoiding crashes rather than addressing the dangerous behaviors that lead to these incidents. While we encourage the use of reflective clothing and other safety minded devices, this approach is a form of victim-blaming

and does not align with best practices in road safety, which focus on systemic improvements rather than individual mandates.

We urge the Legislature to reject this resolution and instead champion policies that make our streets safer for everyone, regardless of their mode of transportation. The Hawai'i Bicycling League stands ready to work with lawmakers, city officials, and community members to advance effective, evidence-based solutions that will truly protect vulnerable road users.

Mahalo for your time and consideration.

Ride Aloha,

A handwritten signature in black ink that reads "Travis Counsell". The signature is written in a cursive, flowing style with a long horizontal stroke at the beginning.

Travis Counsell

Executive Director

Hawai'i Bicycling League

HR-130

Submitted on: 3/21/2025 2:33:15 PM

Testimony for TRN on 3/25/2025 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

We don't need a nanny state and need to allow people to make their own decisions.

HR-130

Submitted on: 3/23/2025 2:11:31 PM

Testimony for TRN on 3/25/2025 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan P. Armstrong	Individual	Oppose	Written Testimony Only

Comments:

Sadly, I must write in opposition to these measures.

Blaming the victim is not the right way to go. It will not save lives, and it will cost an enormous amount of money, or else it must eeds become an unfunded mandate for local law enforcement.

We need comprehensively-enforced laws that make sense. Start by enforcing the existing traffic laws.

1. People without driver's licenses or current registration should not be driving half-ton weapons.
2. People who drive UI or have prior DUIs should not be able to drive half-ton weapons ever again, without serious proven commitment to sober driving (a rehabilitative model).
3. People who text while driving should not be able to drive half-ton weapons.
4. People who engage in road rage, drivers who brandish weapons, or are caught driving with unlicensed firearms, should not be allowed to drive half-ton weapons.
5. Drivers who intimidate pedestians with the right of way in marked and unmarked crosswalks, by driving at them and stopping short, or trying to muscle pedestrians through the crosswalk are committing a rampant but unpunished crime. Their privileges to wield half-ton weapons need to be revoked.

Fix road corridors that encourage speeding through excessive width and poor layout.

Eliminate speeding, eliminate drunk driving, eliminate reckless driving, eliminate aggressive, entitled, and violant criminals from libertine vehicle use, and you will end the vast majority of pedestrian deaths. A vest doesn't even come close.

Your friend,
Dylan P. Armstrong