



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

January 30, 2025  
3:00 P.M.  
State Capitol, Room 224

**S.B. 106**  
**RELATING TO PEDESTRIANS**

Senate Committee on Transportation and Culture and the Arts

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The Hawaii Department of Transportation (HDOT) **opposes** S.B. 106, 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 essential for reducing conflict and improving efficiency on our roadways. These rules clearly define the responsibilities of all road users, promoting predictable and harmonious interactions. S.B. 106, however, introduces the potential for pedestrians to make individual decisions that may deviate from these established rules, creating unpredictable situations. This unpredictability could disrupt safety and efficiency, leaving other road users to navigate scenarios they may not anticipate but remain responsible for.

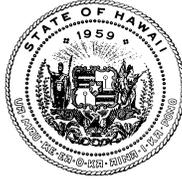
Pedestrians crossing the street against nationally established traffic control devices and/or contrary to other road user expectations will be challenging especially for children and elderly persons, our most vulnerable road users. A pedestrian may mistakenly believe it is safe to cross the roadway against traffic signal indications, unaware of the hidden dangers posed by turning vehicles. Such decisions force drivers into sudden, unanticipated situations that could have devastating consequences. Moreover, crossing is explicitly prohibited at certain locations because of critical risks that may not be apparent to the pedestrian - such as high-speed traffic, heavy volumes of vehicles, restricted visibility, or poor lighting conditions. Ignoring these carefully considered restrictions jeopardizes not only pedestrians but also the drivers who are left to navigate these unpredictable scenarios.

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 131 pedestrian fatalities and 424 serious injuries from 2020 through 2024, using preliminary data from 2024. Pedestrians aged 17 and younger or aged 65 and older were involved in 37 percent of pedestrian fatalities and 34 percent of pedestrian serious injuries. Overall, pedestrians accounted for 27 percent of all traffic fatalities and 16 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.

Thank you for the opportunity to provide testimony.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
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**Testimony COMMENTING on S.B. 106  
RELATING TO PEDESTRIANS**

SENATOR CHRIS LEE, CHAIR  
SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

Hearing Date: January 30, 2025

Room Number: Conference Room 224

- 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 respectfully offers comments on the potential health impacts  
4 of Senate Bill 106 (S.B. 106), which would allow pedestrians to cross a street after reasonable  
5 determination that there is no immediate danger of a collision with a moving vehicle.
- 6 **Department Testimony:** Despite Hawaii's favorable climate, geography, and reputation for  
7 active outdoor living, only 25% of Hawaii residents, in 2019, met federal guidelines for physical  
8 activity.<sup>1</sup> The design of roads that integrate options like walking and bicycling is a public health  
9 concern since the built environment can promote or hinder physical activity. This includes  
10 removing barriers and providing opportunities to cross streets safely and conveniently to access  
11 destinations such as bus stops, schools, and worksites. People who are physically active  
12 generally have better health outcomes and are at less risk for serious chronic diseases and  
13 conditions; often the same conditions closely linked to severe COVID-19 outcomes.<sup>2</sup>
- 14 Pedestrian access to everyday destinations is also a social justice and health equity issue.<sup>3</sup>  
15 Jaywalking contributes to racially based police stops, which aligns with the overrepresentation of

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

<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.

1 people of color in the criminal justice system. Hawaii has a history of disproportionately  
2 policing and incarcerating Native Hawaiians and Pacific Islanders (NHPI), so decriminalizing  
3 jaywalking would address some of the racial injustices in our state. In 2019, NHPI were  
4 involved in over one-third of police force incidents despite making up only one-fourth of the  
5 population.<sup>4</sup>

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

14 Jaywalking laws are ineffective at producing roadway safety results, but also accentuate  
15 places which are hostile to walking. Removing jaywalking penalties has not been found to  
16 increase adverse public safety outcomes. Initial data from localities where decriminalization of  
17 jaywalking was implemented (Virginia, Kansas City,<sup>5</sup> Denver and California<sup>6</sup>) show that there  
18 has been little to no change in the number of traffic injuries and fatalities. In addition, cities with  
19 the lowest traffic death rates (mainly in Europe) do not have jaywalking laws.<sup>7</sup>

20 Decriminalizing jaywalking and punitive enforcement shift the responsibility for  
21 pedestrian safety to systemic changes in urban design and traffic management.<sup>8</sup> The Federal

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<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/>

<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/>

<sup>7</sup> International Federation of pedestrians. *Regulation of pedestrian priority at pedestrian crossings in the Vienna Convention/transmitted by the International Federation of Pedestrians (IFP) 2002*. Retrieved on 1-28-25 from: <https://digitallibrary.un.org/record/458014?ln=en&v=pdf#files>

<sup>8</sup> National Association of City Transportation Officials. (2021). *Creating Safe, Multimodal Urban Transportation*

1 Highway Administration refers to this as a “safety culture,” that considers safety for all users.<sup>9</sup>  
2 Focusing on improving crosswalks, reducing vehicle speeds, and designing safer streets (e.g.,  
3 implementing traffic calming measures) can reduce pedestrian injuries and fatalities. When  
4 jaywalking is decriminalized, it can encourage municipalities to invest in safer pedestrian  
5 infrastructure rather than rely on enforcement.

6 **Offered Amendments:** None

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

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<sup>9</sup> U.S. Department of Transportation Federal Highway Administration. *Safety Culture*. Retrieved 1-27-25 from:  
<https://highways.dot.gov/safety/zero-deaths/safety-culture>

**JON N. IKENAGA**  
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January 28, 2025

Committee on Transportation and Culture and the Arts  
Sen. Chris Lee, Chair  
Sen. Lorraine R. Inouye, Vice Chair  
415 South Beretania Street, Conf. Rm. 224  
State Capital  
Honolulu, HI 96813

Re: Testimony in Support of S.B. 106  
Hearing: January 30, 2025, 3:00 PM

Dear Chair Lee, Vice Chair Inouye and Committee Members:

This letter is in support of S.B. 106 which would authorize pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of collision with a moving vehicle.

The Office of the Public Defender ("OPD") is in support of S.B. 106 because it does not pose a danger to a reasonable pedestrian, and it makes common sense. Pedestrians are often waiting for traffic signals to permit crossing when there is no traffic or basis to do so. Similarly, pedestrians who are walking in rural or non-traffic control regulated areas are not privy to or are unable to locate marked crossings or signaled controlled crossings when the need arises. In these instances, their actions, though necessary, may create ambiguity for law enforcement to act. S.B. 106 alleviates the responsibility from law enforcement who can then focus their attention on more important and significant matters. Moreover, S.B. 106 correctly places the duty of care on both the pedestrian and drivers to ensure safety on the roadways.

The State cannot be expected to place traffic control signals and marked crosswalks in every location where pedestrians have a need. Such an expectation would be cost prohibitive and a never ending endeavor. S.B. 106 makes common sense and codifies what already occurs in everyday life.

Thank you for taking these comments into consideration.

Sincerely,  
/s/ Taryn Tomasa  
Deputy Public Defender

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

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KAHU MĀKA'I  
  
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RADE K. VANIC  
DEPUTY CHIEFS  
HOPE LUNA NUI MĀKA'I

OUR REFERENCE JS-TK

January 30, 2025

The Honorable Chris Lee, Chair  
and Members  
Committee on Transportation and  
Culture and the Arts  
State Senate  
415 South Beretania Street, Room 224  
Honolulu, Hawaii 96813

Dear Chair Lee and Members:

SUBJECT: Senate Bill No. 106, Relating to Pedestrians

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

The HPD opposes Senate Bill No. 106, 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.

Statistics have shown that on O'ahu, the majority of collisions involving pedestrians that resulted in death or critical injuries were a result of pedestrians crossing outside of a marked crosswalk or against a "don't walk" signal.

The HPD urges you to oppose Senate Bill No. 106, Relating to Pedestrians. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

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

  
James Slayter, Major  
Traffic Division

**COUNTY COUNCIL**

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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kauai, Hawaii 96766

January 28, 2025

**TESTIMONY OF ADDISON BULOSAN  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
SB 106, RELATING TO PEDESTRIANS  
Senate Committee on Transportation and Culture and the Arts  
Thursday, January 30, 2025  
3:00 p.m.  
Conference Room 224  
Via Videoconference**

Dear Chair Lee and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 106, Relating to Pedestrians. My testimony is submitted in my individual capacity as a member of the Kauai County Council.

I wholeheartedly support the intent of SB 106, which would greatly affect the Kauai community.

Thank you again for this opportunity to provide testimony in support of SB 106. 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, Kauai County Council

AAO:dmc



## Testimony of the Oahu Metropolitan Planning Organization

### COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

Thursday, January 30, 2025, 3:00 PM  
CR 224 & Videoconference

#### SB106 RELATING TO PEDESTRIANS

Dear Chair Lee, Vice Chair Inouye, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB106**, which would 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.

This measure is consistent with several goals of the Oahu Regional Transportation Plan, including increasing active and public transportation, providing an equitable and affordable transportation system, and achieving state and county commitments to the environment, health, and culture in the development, maintenance, and operation of the transportation system<sup>1</sup>. Authorizing pedestrians to cross the street in a safe manner without fear of incurring a fine will promote equity in a transportation network that has historically favored the unimpeded movement of vehicles. This measure will reduce the inconveniences associated with walking, encouraging residents to reduce their vehicle use.

States and municipalities across the country are passing measures decriminalizing “jaywalking,” including the states of California and Virginia, and the cities of Denver, Kansas City, and New York City, with more likely to follow suit<sup>2</sup>. In states where these measures have been implemented and relevant data is available, there has been no significant change in pedestrian fatalities<sup>3</sup>. In Hawaii, pedestrian fatalities continue to rise despite the enforcement of jaywalking laws<sup>4</sup>. In order to make Hawaii’s streets safer, transportation policy should shift effort away from pedestrian policing and instead focus

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<sup>1</sup> [https://oahumpo.org/?wpfb\\_dl=3273](https://oahumpo.org/?wpfb_dl=3273)

<sup>2</sup> <https://americawalks.org/redefining-safety-without-penalties/>

<sup>3</sup> <https://americawalks.org/jaywalking-reform-progress/>

<sup>4</sup> <https://hidot.hawaii.gov/highways/files/2023/02/Fatality-Breakdown-by-Counties-20230222.pdf>

on more effective traffic calming measures, such as the Safe System Elements and Goals identified in the Oahu Vision Zero Action Plan<sup>5</sup>.

Jaywalking laws create inequitable conditions on our streets. The current fine for crossing a roadway at a point away from a crosswalk starts at \$100. This fine is a significant financial burden for mobility-constrained residents who rely on walking due to the high cost of vehicle ownership. The risk of citation punishes vulnerable road users and disincentivizes walking as a form of transportation. Fines for jaywalking are also disproportionately high when compared to fines for more dangerous violations such as speeding, which starts at just \$62 + \$5/mph over the limit on Oahu<sup>6</sup>. Furthermore, law enforcement resources are wasted when used to issue and process citations to pedestrians who have not jeopardized their own safety or the safety of other road users.

Hawaii has set a carbon net-negative emissions target to be achieved no later than 2045, and the provisions laid out in the *Navahine v. Hawaii Department of Transportation* settlement have necessitated swift action in reducing the climate impacts of Hawaii's transportation network<sup>7</sup>. Vehicle miles travelled (VMT) is a key measure of the environmental impact of transportation. The fines associated with jaywalking disincentivize walking and thus present a barrier to Hawaii's VMT reduction goals. Hawaii must promote clean modes of transportation by prioritizing our pedestrian network.

The OahuMPO is the federally designated Metropolitan Planning Organization (MPO) on the island of Oahu responsible for carrying out a multimodal transportation planning process, including the development of a long-range (25-year horizon) metropolitan transportation plan, referred to as the Oahu Regional Transportation Plan (ORTP), which encourages and promotes a safe and efficient transportation system to serve the mobility needs of people and freight (including walkways, bicycles, and transit), fosters economic growth and development, and takes into consideration resiliency needs, while minimizing fuel consumption and air pollution ([23 CFR 450.300](#)).

Mahalo for the opportunity to provide testimony on this measure.

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<sup>5</sup> <https://www8.honolulu.gov/completestreets/wp-content/uploads/sites/37/2024/09/Oahu-Vision-Zero-Action-Plan.pdf>

<sup>6</sup> <https://www.honolulu.gov/information/motor-vehicle-safety/>

<sup>7</sup> <https://governor.hawaii.gov/newsroom/office-of-the-governor-news-release-historic-agreement-settles-navahine-climate-litigation/>



**Testimony for Hawai'i Appleseed Center for Law and Economic Justice**  
**Support for SB106 - Relating to Pedestrians**  
**Senate Committee on Transportation and Culture and the Arts**  
**January 30th, 2025 at 3PM**

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Dear Chair Lee, Vice Chair Inouye, and members of the committee,  
Mahalo for the opportunity to express **STRONG SUPPORT for SB106**, 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.

**The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S.** Based on a report titled “Freedom to Walk”, published by [Hawai'i Appleseed Center for Law and Economic Justice](#), 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 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, 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 60 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. This underscores the point that globally the cities with the lowest traffic death rates (mainly in Europe) do not have jaywalking laws.

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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/>

Notably, it is difficult to 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 an “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.

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

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SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS  
Thursday, January 30, 2025 – 3:00pm

### **Hawai'i Bicycling League Supports SB 106, Relating to Pedestrians**

Aloha Chair Lee, Vice Chair Inouye, and Committee Members,

My name is Eduardo Hernandez, and I am the Advocacy 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 106**, 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.

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

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.

We encourage the Legislature to focus on proven solutions that improve safety such as investing in more education and infrastructure and leveraging existing statutes including Complete Streets and Vision Zero plans.

Mahalo for the opportunity to provide testimony. We encourage your support for **SB 106** to move away from unduly punitive legislation that has not proven effective in addressing the true safety needs of people across the State of Hawai'i.

Ride Aloha,

**Eduardo Hernandez**  
Advocacy Director

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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.



## HIPHI Board

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University of Hawai'i - West O'ahu

Jennifer José Lo, MD  
Hawai'i Health Partners

Misty Pacheco, DrPH  
University of Hawai'i at Hilo

Justin Puckett, CPA, MBA  
Humana

Kathleen Roche, MS, RN, CENP  
Kaiser Permanente

Dina Shek, JD  
Medical-Legal Partnership  
For Children in Hawai'i

Garret Sugai  
HMSA

JoAnn Tsark, MPH  
John A. Burns School of Medicine, Native  
Hawaiian Research Office

## 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 Network

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: January 29, 2025

To: Senator Chris Lee, Chair  
Senator Lorraine Inouye, Vice Chair  
Members of the Committee on Transportation and Culture and the Arts

RE: Support for SB 106, Relating to Pedestrians

Hrg: January 30, 2025, 3:00 PM, Conference Room 224

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Hawai'i Public Health Institute (HIPHI)<sup>1</sup> and the Healthy Eating + Active Living Statewide Coalition are in strong support of SB 106, also referred to as the "Freedom to Walk" bill, which authorizes pedestrians to cross the street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle.

In 2024, pedestrian fatalities rose by 61% compared to the previous year. Alarming, just 2% of Honolulu's streets account for 60% of pedestrian fatalities and 42% of injuries. Instead of penalizing people for walking on unsafe streets—with jaywalking fines ranging from \$100 to \$150, often exceeding penalties for speeding—we must prioritize targeted infrastructure improvements that save lives. Jaywalking laws have proven ineffective in enhancing safety and instead contribute to environments that are unwelcoming to pedestrians. In 2022, pedestrian fatalities in the U.S. exceeded 7,500, highlighting the urgent need for more effective safety measures.<sup>2</sup> Studies show that people who walk or bicycle to work experience a variety of physical and mental health benefits. By making smarter investments for safer streets, we can create a built environment that is accessible for all active transportation users.<sup>3</sup>

**The number of jaywalking-related citations given in Hawai'i is significantly higher than in other localities in the U.S.** Based on a report titled "Freedom to Walk", published by [Hawai'i Appleseed Center for Law and Economic Justice](#), 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

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<sup>1</sup> Hawai'i Public Health Institute's mission is to advance health and wellness for the people and islands of Hawai'i. We do this through expanding our understanding of what creates health of people and place, fostering partnerships, and cultivating programs to improve policies, systems, and the environments where people live, learn, work, age, and play.

<sup>2</sup> Abbey Seitz. (2024). 'Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure.' Hawai'i Appleseed Center for Law and Economic Justice. Available at <https://hiappleseed.org/publications/freedom-to-walk>.

<sup>3</sup> Beth Duff-Brown. (2023). 'How Police Contact and Violence Impact Public Health'. Stanford University, Stanford Health Policy. Available at <https://healthpolicy.fsi.stanford.edu/news/how-police-contact-and-violence-impact-public-health>

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 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 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>4</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 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>5</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>6</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 on

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<sup>4</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.

<sup>5</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>6</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-communitites/walkwisehawaii/faq/>.



employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

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 little to no change in the number of traffic injuries and fatalities.<sup>7</sup>
- **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 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 an “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.

In conclusion, those 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 on building safe, accessible pedestrian infrastructure.

Mahalo for the opportunity to testify on this important measure.

Mahalo,

A handwritten signature in black ink, appearing to read "Lauren Loor".

Lauren Loor  
Healthy Eating + Active Living Statewide Program Manager

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<sup>7</sup> Schmitt, Angie, “These Communities Are Making Progress After Jaywalking’ Reform,” StreetsBlog USA, June 23, 2022, <https://usa.streetsblog.org/2022/06/23/these-u-s-communities-are-makingsafety-progress-after-jaywalking-reform>



## Testimony in Opposition to SB106 Relating to Pedestrians

January 29, 2025

Lisa Dau, RN, Injury Prevention Coordinator  
Keiki Injury Prevention Coalition (KIPC)

Senator Chris Lee, Chair, Senator Lorraine Inouye, Vice Chair, and Members of the Committee,

I appreciate the opportunity to testify in **opposition to SB106**, which would authorize pedestrians to act contrary to the statewide traffic code when they determine that there is no immediate danger of a collision with a moving vehicle. While I understand the intent behind this legislation, I have concerns about the potential consequences for public safety and equity issues.

### Public Safety Risks

This bill could significantly increase the risk of pedestrian injuries and fatalities. Traffic laws exist to establish clear expectations for both pedestrians and drivers, reducing confusion and potential incidents. Allowing individuals to determine on their own when it is safe to ignore established pedestrian rules increases the likelihood of misjudgments, particularly in high-traffic or high-speed areas. Even the most careful pedestrian may not accurately assess vehicle speeds, driver attention, or other hazards, leading to dangerous situations.

### Equity Issues

Pedestrian safety laws are crucial for protecting vulnerable populations, including children, the elderly, and individuals with disabilities. A policy that introduces more discretion into pedestrian decision-making could disproportionately harm those who may not be able to assess risk as effectively as others. Furthermore, this legislation may create confusion among both residents and visitors, potentially making crosswalks and intersections more hazardous rather than safer.

### Conclusion

For these reasons, KIPC strongly urges the committee to reject **SB106**. Instead of weakening pedestrian safety laws, we should focus on solutions that enhance pedestrian infrastructure, improve crosswalk visibility, and encourage responsible road-sharing behaviors for all users. Thank you for your time and consideration. I am happy to answer any questions.

Sincerely,  
Lisa Dau, RN  
KIPC, Injury Prevention Coordinator

The Keiki Injury Prevention Coalition's (KIPC) mission is to prevent and reduce injuries to children in Hawaii. <https://kipchawaii.org/>

**SB-106**

Submitted on: 1/28/2025 9:02:58 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hawaii Self Advocacy Advisory Council	Testifying for Hawaii Self-Advocacy Advisory Council	Support	Written Testimony Only

Comments:

The Hawaii Self-Advocacy Advisory Council supports SB 106.



P.O. Box 392, Kilauea, Kauai, HI, 96754

PHONE: (808) 212-4765 • FAX: (808) 828-2027 • E-MAIL: [bbrody1@hawaii.rr.com](mailto:bbrody1@hawaii.rr.com) • WEB SITE: [www.getfitkauai.com](http://www.getfitkauai.com)

## SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

January 30, 2025 at 3PM

### Testimony in Strong Support of SB106 - Relating to Pedestrians

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Dear Chair Lee, Vice Chair Inouye, and Committee Members,

My name is Bev Brody and I am the director of the Healthy Eating Active Living Coalition of Kauai County (Get Fit Kauai). Get Fit Kauai is a community-focused organization dedicated to promoting health, wellness, and safer living environments for all residents of Kaua'i. We strongly support SB106, the "Freedom to Walk" bill, which allows pedestrians to cross streets when they reasonably determine there is no immediate danger from vehicles.

Hawai'i has disproportionately high jaywalking citation rates compared to other U.S. states. From 2018 to 2023, over 30,000 jaywalking citations were issued in Hawai'i—significantly more than in other states like Washington. Most of these citations occur in urban areas like O'ahu, where jaywalking enforcement creates harm rather than improving safety.

The negative impacts of jaywalking enforcement include:

1. **Hostility toward pedestrians:** Laws from the 1920s, aimed at shifting blame for traffic fatalities to pedestrians, have not effectively reduced deaths and instead stigmatize pedestrians.
2. **Over-policing of minority communities:** Discretionary enforcement can lead to biased targeting, as seen in other areas with similar laws.
3. **Wasted resources:** While Hawai'i's jaywalking citations generated over \$3.8 million in fines, most of this revenue was never collected, straining public resources.
4. **Debt and legal consequences:** Unpaid fines harm individuals' credit and can lead to legal troubles, creating unnecessary burdens on low-income communities.

Following the example of states like California and Virginia, we believe decriminalizing jaywalking will help reduce over-policing and free up law enforcement resources for more critical safety issues. Evidence from similar reforms shows no increase in traffic incidents, and in fact, pedestrian safety improves when focus shifts to better infrastructure and enforcement of driver responsibility.

We urge the committee to support this important measure, moving toward a safer, more equitable approach to pedestrian safety.

Mahalo for your consideration.

*BBrody*

Bev Brody  
Get Fit Kauai – Director  
H.E.A.L. (Healthy Eating Active Living) Community Coalition of Kauai County  
(808) 212-4765

Jan. 30, 2025, 3 p.m.  
Hawaii State Capitol  
Conference Room 224 and Videoconference

**To: Senate Committee on Transportation and Culture and the Arts**  
**Sen. Chris Lee, Chair**  
**Sen. Lorraine R. Inouye, Vice-Chair**

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

RE: TESTIMONY IN SUPPORT OF SB106 — RELATING TO PEDESTRIANS

Aloha Chair and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer its **support** for [SB106](#), which 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.

Some people might question the necessity of jaywalking reform, but an examination of the growing movement for such “right to walk” bills demonstrates that jaywalking laws 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 bill’s preamble — “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.

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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<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, p. 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](#).



# HAWAII WORKERS CENTER

Defending and Respecting the workers of  
Hawai'i

(503) WORKERS ☎

(503) 967- 5377 ☎

[hawaiiworkerscenter@gmail.com](mailto:hawaiiworkerscenter@gmail.com) ✉

Mail: 2252 Puna St., Honolulu, HI 96817 ✉

[hawaiiworkerscenter.org](http://hawaiiworkerscenter.org) 🌐

January 28, 2025

**Executive Board  
Committee**

Rev. Sam Domingo  
*Board Chair*

Mary Ochs  
*Vice Chair*

Dr. Arcelita Imasa  
*Secretary*

Kami Yamamoto  
*Treasurer*

**Board Members**

Yoko Liriano

Nanea Lo

Innocenta  
Sound-Kikku

Ray Catania

Justin Jansen

Leyton Torda

Kami Yamamoto

CJ Johnson

**Executive Director**

Sergio Alcubilla III, Esq.

Hawaii State Senate  
Committee on Transportation and Culture and the Arts  
Sen. Chris Lee, Chair  
Sen. Lorraine R. Inouye, Vice Chair

**LATE**

**RE: SUPPORT for S.B. 106 RELATING TO PEDESTRIANS.**

Dear Chair Lee, Vice Chair Inouye, and Members of the Committee:

The Hawaii Workers Center (HWC) envisions a Hawaii in which all workers are empowered to exercise their right to organize for their social, economic and political well-being. It is a resource of information, education, training and organizing for Hawaii's workers.

The HWC stands in **support of S.B. 106** or 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 support this measure because of the often biased jaywalking citations that local residents face. Citations are rarely seen in the tourist district of Waikiki but target areas of downtown Honolulu and other areas where workers walk during their breaks. Fines of \$100 to \$150 is a big hit for a worker crossing an empty Hotel St. or are caught in the crosswalk when the countdown begins only to find a police officer on the other side with a citation already in hand. Many are told that once the countdown begins, whether it's 20 seconds or 10 seconds, pedestrians are not able to enter the crosswalk. This goes against what a reasonable person would interpret the countdown to mean. Please make it make sense.

Thank you for allowing me to share some thoughts and personal observations on this matter. We believe S.B. 106 will encourage the development of pedestrian friendly communities that we espouse in a desired future.

Sincerely,

Sergio Alcubilla  
Executive Director

Dear Chair Lee, Vice Chair Inouye, and members of the committee,

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 106**, 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.

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

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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/>.

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>

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>7</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>8</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>6</sup> Honolulu Police Department. (2024). *Motor Vehicle Safety*. Available at: <https://www.honoluluupd.org/information/motor-vehicle-safety/>.

<sup>7</sup> [State of Hawaii Traffic Fatalities](#)

<sup>8</sup> [Proven Safety Countermeasures | FHWA \(dot.gov\)](#)

**SB-106**

Submitted on: 1/27/2025 9:40:04 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Molly Mamaril	Individual	Support	Written Testimony Only

Comments:

Dear Chair Lee, Vice Chair Inouye, and members of the committee,

My name is Molly Mamaril, and I am an O‘ahu resident who both walks and drives in my community. I am writing in **strong support of SB 106**, 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.

I am supportive of this bill for the following reasons:

- The number of jaywalking-related citations given in Hawai‘i is significantly higher than other localities in the U.S.
- Jaywalking enforcement leads to hostility towards pedestrians, over policing of Black and Brown communities
- Jaywalking fines are more expensive than some other drive-related violations, even though violations such as speeding are key contributors to our traffic deaths, injuries, and crashes. If fines are left unpaid, it can lead to legal consequences such as potential court appearances, wage garnishments, difficulty in obtaining government services, and negative impacts to employment and housing opportunities.
- Many states have found that by decriminalizing jaywalking, they reduced the burden on the justice system and removed opportunities for escalations
- Removing jaywalking penalties has not been found to increase adverse public safety outcomes.

Mahalo for the opportunity to provide testimony.

Molly Mamaril

Kaimukī resident

**SB-106**

Submitted on: 1/27/2025 10:23:12 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Julie Kuo	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I am in support of SB106.

Mahalo,

Julie Kuo

**SB-106**

Submitted on: 1/28/2025 2:18:17 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nathan Dube	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am a concerned citizen writing in strong support of SB106 to decriminalize jaywalking. The penalties for jaywalking are far too steep and often targeted at those in our community who not only use walking as their primary mode of transportation, they often target socio-economic minorities and houseless people at a higher rate than anyone else. Further, pedestrians should be trusted to cross the street during obvious situations where no vehicular traffic is present as this can often better mitigate injuries related to crossing at crosswalks and streetlights in certain situations.

Thank you for your time and considerations on this matter and I appreciate the hard work of this Committee, the Legislature, and legislative staff helping to make pono decisions for our community.

Sincerely,

Nathan Dube

**SB-106**

Submitted on: 1/28/2025 2:47:45 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

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

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the committee,

I fully support **SB106**, 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**. Other states such as Virginia, California, and cities such as Anchorage, Denver, and Kansas City have implemented similar legislation to remove jaywalking penalties. Given that this effort is a relatively new initiative, there are many misconceptions about jaywalking and how removing jaywalking penalties will impact drivers and pedestrians. However, there is evidence that this measure can reduce the burden on the justice system, remove opportunities for hostility toward pedestrians, and provide more constructive applications of traffic safety resources.

Thank you for your consideration of **SB106**, 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.

**SB-106**

Submitted on: 1/28/2025 4:22:16 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

About time. Recently jaywalking became legal in New York City. And it is woring. There is no reason why vehicles are given priority over humans when there is no danger. Please support this bill.

**SB-106**

Submitted on: 1/29/2025 6:03:27 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Strong support. Thank you.

**SB-106**

Submitted on: 1/29/2025 8:10:28 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Connie G. Carreras	Individual	Support	Written Testimony Only

Comments:

Pedestrian fatalities has been a constant and blatant problem in Hawaii. Ask the emergency rooms and they see older people going on their morning walks get hit by cars in the early morning hours. It has become normal. Areas like Haleiwa town- no side walks to protect both residents and visitors and not enough pedestrian crossings. More deaths waiting to happen. Let's look at the pedestrian deaths data and prevent more public harm and preventable deaths.

**SB-106**

Submitted on: 1/29/2025 2:21:05 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

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

Comments:

*I strongly support this measure to improve pedestrian safety in our communities. In 2024, pedestrian fatalities rose by 61% compared to the previous year. Alarmingly, just 2% of Honolulu’s streets account for 60% of pedestrian fatalities and 42% of injuries. Instead of penalizing people for walking on unsafe streets—with jaywalking fines ranging from \$100 to \$150, often exceeding penalties for speeding—we must prioritize targeted infrastructure improvements that save lives.*

*I urge you to consider proven solutions to make our streets safer for everyone, such as investing in Safe Routes to School, leading pedestrian intervals, and other low-cost, effective solutions. Mahalo for your time and consideration.*

**SB-106**

Submitted on: 1/29/2025 5:07:37 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kealoha Madriaga	Individual	Support	Written Testimony Only

Comments:

*I strongly support this measure to improve pedestrian safety in our communities. In 2024, pedestrian fatalities rose by 61% compared to the previous year. Alarmingly, just 2% of Honolulu’s streets account for 60% of pedestrian fatalities and 42% of injuries. Instead of penalizing people for walking on unsafe streets—with jaywalking fines ranging from \$100 to \$150, often exceeding penalties for speeding—we must prioritize targeted infrastructure improvements that save lives.*

*I urge you to consider proven solutions to make our streets safer for everyone, such as investing in Safe Routes to School, leading pedestrian intervals, and other low-cost, effective solutions. Mahalo for your time and consideration.*

**LATE**

**SB-106**

Submitted on: 1/29/2025 8:42:47 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

If deemed safe, a pedestrian should be able to cross the street.

**LATE**

**SB-106**

Submitted on: 1/30/2025 8:22:43 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Maydan	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to improve pedestrian safety in our communities. In 2024, pedestrian fatalities rose by 61% compared to the previous year. Alarming, just 2% of Honolulu's streets account for 60% of pedestrian fatalities and 42% of injuries. Instead of penalizing people for walking on unsafe streets—with jaywalking fines ranging from \$100 to \$150, often exceeding penalties for speeding—we must prioritize targeted infrastructure improvements that save lives.

I urge you to consider proven solutions to make our streets safer for everyone, such as investing in Safe Routes to School, leading pedestrian intervals, and other low-cost, effective solutions. Mahalo for your time and consideration.

**LATE**

**SB-106**

Submitted on: 1/30/2025 10:12:12 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Germaine Meyers	Individual	Oppose	Remotely Via Zoom

Comments:

Respectfully Oppose.

- Walking is great for all of us.
- Similar to car need boundaries and lanes to drive within, pedestrians need sidewalks and crosswalks.
- In 5 mph driving zones, it may be safe to cross a one lane road.
- In a 15 mph and higher driving zone with 2 or more lanes, its a danger to everyone for a pedestrian to cross in an unmarked crosswalk.
- Buses, 18 wheel trucks, SUVs and cars V.S. human on 2 feet?

**LATE**

## **SB106 Freedom to Walk**

I am writing to express my strong support for SB106, which would allow pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. I fully support initiatives aimed at enhancing pedestrian safety in our communities. In 2024, we witnessed a staggering 61% rise in pedestrian fatalities compared to the year before. Disturbingly, merely 2% of Honolulu's streets are responsible for 60% of these fatalities and 42% of injuries. Instead of imposing fines for jaywalking—ranging from \$100 to \$150, often higher than speeding penalties—we need to shift our focus toward essential infrastructure improvements that can truly save lives.

I urge you to advocate for effective, evidence-based solutions that prioritize safety for all, such as investing in Safe Routes to School programs, establishing leading pedestrian intervals, and implementing other affordable measures. Together, we can create a safer environment for pedestrians. Thank you for your attention to this critical issue.

Respectfully,  
Leigh Ann Lopez