



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

April 2, 2025  
2:00 p.m.

State Capitol, Room 325 & Videoconference

**S.B. 106, S.D. 1 H.D. 1**  
**RELATING TO PEDESTRIANS**

House Committee on Judiciary & Hawaiian Affairs

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The Hawaii Department of Transportation (HDOT) **opposes** S.B. 106, S.D. 1 H.D. 1, which establishes a 3-year pedestrian safety pilot program in each county with a population of two 250,000 or less, under certain conditions. The measure also allows larger counties to opt in, gives the Governor revocation authority, and requires drivers to yield to pedestrians who clearly indicate intent to cross in a crosswalk.

The statewide traffic code, Hawaii Revised Statutes (HRS) Chapter 291C, does not currently prohibit pedestrians from crossing a roadway at any location, except diagonally across an intersection and between adjacent signalized intersections. Therefore, for most areas of the State, particularly within rural areas, crossing at most locations outside of a crosswalk would not be a violation of the existing statewide traffic code. In addition, unmarked crosswalks exist at every intersection if marked crosswalks are not provided.

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, S.D. 1 H.D. 1, 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, 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, or restricted

visibility. Ignoring these carefully considered restrictions jeopardizes not only pedestrians but also the drivers who are left to navigate these unpredictable scenarios.

Additionally, the creation of a pilot program that applies only to certain counties will further complicate statewide consistency in traffic laws. With different rules in different jurisdictions, both residents and visitors will face confusion over what is legal and safe behavior, especially in areas where county boundaries are not readily apparent to pedestrians or drivers. Hawaii sees millions of visitors each year, many of whom rent vehicles and are unfamiliar with local laws. Inconsistent traffic rules from county to county increase the potential for misinterpretation, reduce compliance, and create challenges for enforcement and public education.

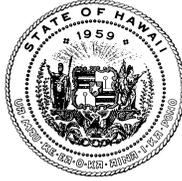
In accordance with Act 134 S.L.H. 2019, also known as the Vision Zero Act, the State Highway Safety Council (SHSC) was required to complete a final report on the Vision Zero Action Plan to reduce traffic fatalities to zero. This report was submitted to the legislature on December 11, 2020. One recommendation 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 for 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 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.

Virginia was the first state to enact a statute similar to this bill in 2021. Prior to this date the average pedestrian fatalities going back 6 years was 118 deaths. In 2022 pedestrian deaths rose to 173, a 46 percent increase from the previous year's average. Fatality rates for years after 2022 have not yet been posted on the National Highway Traffic Safety Administrations website.

Requiring that a driver stop for a pedestrian who clearly signals their intent to cross a roadway within a crosswalk would lead to confusion for both drivers and pedestrians. It may not be possible or practical for a pedestrian to effectively communicate their intention to cross. A pedestrian might think they have clearly signaled their intention to cross and expect a vehicle to stop if required by law, while the driver could mistakenly believe the pedestrian is waiting for a ride or socializing. Additionally, there is no standardized or universally recognized way for a pedestrian to indicate their intent to cross, which could lead to further misinterpretation, confusion, and inconsistency in enforcement. Most states do not require vehicles to stop for pedestrians outside of crosswalks, and with the high volume of visitors in Hawaii, this would cause even more confusion.

Thank you for the opportunity to provide testimony.



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

**Testimony COMMENTING on S.B. 106, S.D. 1, H.D. 1**  
**RELATING TO PEDESTRIANS**

REPRESENTATIVE DAVID A. TARNAS, CHAIR  
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date: April 02, 2025

Room Number: Conference Room 325  
and Videoconference

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of  
2 Transportation (DOT) for fiscal implications of implementation.

3 **Department Position:** The DOH offers comments on the potential health impacts of Senate  
4 Bill 106, Senate Draft 1, House Draft 1 (S.B. 106, S.D. 1, H.D. 1) and respectfully recommends  
5 reinsertion of the original language from Senate Bill 106 (S.B. 106), which would allow  
6 pedestrians to cross a street after reasonable determination that there is no immediate danger  
7 of a collision with a moving vehicle.

8 **Department Testimony:** Decriminalizing pedestrian use of roads and punitive enforcement shift  
9 the responsibility for safety to systemic changes in urban design and traffic management.<sup>1</sup> The  
10 Federal Highway Administration refers to this as a “safety culture,” that considers safety for all  
11 users.<sup>2</sup> Focusing on improving crosswalks, reducing vehicle speeds, and designing safer streets  
12 (e.g., implementing traffic calming measures) can reduce pedestrian injuries and fatalities. When  
13 pedestrian roadway use is decriminalized, it can encourage municipalities to invest in safer  
14 pedestrian infrastructure rather than rely on enforcement.

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<sup>1</sup> National Association of City Transportation Officials. (2021). *Creating Safe, Multimodal Urban Transportation*

<sup>2</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>

1           Despite Hawaii’s favorable climate, geography, and reputation for active outdoor living,  
2           only 25% of Hawaii residents, in 2019, met federal guidelines for physical activity.<sup>3</sup> The design of  
3           roads that integrate options like walking and bicycling is a public health concern since the built  
4           environment can promote or hinder physical activity. This includes removing barriers and  
5           providing opportunities to cross streets safely and conveniently to access destinations such as  
6           bus stops, schools, and worksites. People who are physically active generally have better health  
7           outcomes and are at less risk for serious chronic diseases and conditions; often the same  
8           conditions closely linked to severe COVID-19 outcomes.<sup>4</sup>

9           Pedestrian access to everyday destinations is also a social justice and healthy equity  
10          issue.<sup>5</sup> The term, “jaywalking,” first appeared as a derogatory term promoted in the United  
11          States by the pro-automobile lobby,<sup>6</sup> contributes to racially based police stops, which aligns  
12          with the overrepresentation of people of color in the criminal justice system. Hawaii has a  
13          history of disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders  
14          (NHPI), so decriminalizing jaywalking would address some of the racial injustices in our state. In  
15          2019, NHPI were involved in over a one-third of police force incidents despite making up only  
16          one-fourth of the population.<sup>7</sup>

17          Active transportation, including walking, biking, and rolling, provides everyday  
18          opportunities for physical activity. Adequate built environment infrastructure is critical for  
19          accessibility, connectivity to essential community destinations, and safety. Removing barriers  
20          to equitable access and making up for historical underinvestment that has resulted in  
21          inadequate walking, biking, and mobility infrastructure are important components to  
22          encourage active transportation. The DOH promotes evidence-based, equity-focused active

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<sup>3</sup> Hawaii Health Data Warehouse, Hawaii State Department of Health, Behavioral Risk Factor Surveillance System, 2019.

<sup>4</sup> CDC *About Physical Activity*. 2021.

<sup>5</sup> Department of Health and Human Services, Centers for Disease Control and Prevention, *About Physical Activity*. 2021.

<sup>6</sup> [Jaywalking - Wikipedia](#). Retrieved 3-17-25 from: [Jaywalking - Wikipedia](#) .

<sup>7</sup> Kawano, L. (2021, February 4). *HPD report shows police force used most on Native Hawaiians, Pacific Islanders*. Hawaii News Now. Retrieved January 31, 2024, from <https://www.hawaiinewsnow.com/2021/02/05/hpd-report-shows-police-force-used-most-native-hawaiians-pacific-islanders/>

1 transportation policies that improve pedestrian and bicyclist safety infrastructure especially for  
2 historically under-resourced communities.

3 Laws that criminalize pedestrians are ineffective at producing roadway safety results,  
4 but also accentuate places which are hostile to walking. Removing pedestrian penalties has not  
5 been found to increase adverse public safety outcomes. Initial data from localities where  
6 decriminalization of pedestrians roadway crossings was implemented (Virginia, Kansas City,<sup>8</sup>  
7 Denver and California<sup>9</sup>) show that there has been little to no change in the number of traffic  
8 injuries and fatalities. In California, traffic fatalities decreased by 13% in 2024.<sup>10</sup> In addition,  
9 cities with the lowest traffic death rates (mainly in Europe) do not have “jaywalking” or  
10 pedestrian road crossing laws.<sup>11</sup>

11 **Offered Amendments:** The DOH respectfully recommends reinsertion of the original language  
12 from S.B. 106, which would allow pedestrians to cross a street after reasonable determination  
13 that there is no immediate danger of a collision with a moving vehicle.

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

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<sup>8</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>

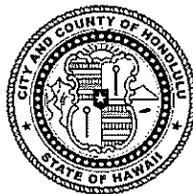
<sup>9</sup> Schmitt, A. (2023, February 14). *Denver is the latest place to eliminate harmful “jaywalking” laws that are enforced unfairly*. America Walks. Retrieved January 31, 2024, from <https://americawalks.org/decriminalizing-walking-notching-more-wins/>

<sup>10</sup> Keatts, A., & Fitzpatrick, A. (2025, March 7). *California pedestrian deaths decreased in the first half of 2024*. Axios; Axios San Diego. <https://www.axios.com/local/san-diego/2025/03/07/california-national-state-pedestrian-deaths-decreased>

<sup>11</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>

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

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813  
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RICK BLANGIARDI  
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MEIA

ARTHUR J. LOGAN  
CHIEF  
KAHU MĀKA'I

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

OUR REFERENCE JS-TK

April 2, 2025

The Honorable David A. Tarnas, Chair  
and Members  
Committee on Judiciary  
and Hawaiian Affairs  
House of Representatives  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Tarnas and Members:

SUBJECT: Senate Bill No. 106, S.D. 1, H.D. 1, 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, S.D. 1, H.D. 1, Relating to Pedestrians.

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

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, S.D. 1, H. D. 1, Relating Pedestrians. Thank you for the opportunity to testify.

APPROVED:

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

Sincerely,

*Al Captain BARIETA Gen*

*[Signature]*  
James Slayter, Major  
Traffic Division



# POLICE DEPARTMENT

## COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, MAUI, HAWAII 96793

TELEPHONE: (808) 244-6400

FAX: (808) 244-6411



**JOHN PELLETIER**  
CHIEF OF POLICE

**WADE M. MAEDA**  
DEPUTY CHIEF OF POLICE

TO: Representative David A. Tarnas, Chair  
Representative Mahina Poepoe, Vice Chair  
Members of the Committee on Judiciary & Hawaiian Affairs

FROM: John Pelletier, Chief of Police *WMP 4/1/25*

DATE: April 1, 2025

SUBJECT: **OPPOSITION OF SB106, RELATING TO PEDESTRIANS**

Thank you for the opportunity to testify in OPPOSITION of this important measure. The bill establishes a three-year Pedestrian Safety Pilot Program in a county with population of two hundred fifty thousand or less, under certain conditions. Authorizes the Governor to revoke and abolish the Pilot Program and overturn a county's request to opt-out of the Pilot Program. Authorizes a county with a population of over two hundred fifty thousand to participate in the Pilot Program, subject to certain conditions. Requires reports to the Legislature. Requires a driver of a vehicle to yield to a pedestrian when the pedestrian clearly indicates their intention to cross a roadway within a crosswalk. Sunsets 6/30/2028. Effective 7/1/3000. (HD1)

The Maui Police Department's primary objective of traffic enforcement is an important step toward enhancing public safety and reducing traffic-related incidents. By focusing on both reducing collisions and injuries and facilitating the smooth flow of traffic, the department is addressing both safety and efficiency, which are key concerns for any community. The combination of education and enforcement is a balanced approach that not only holds drivers accountable, but pedestrians, and cyclists alike raising awareness and promoting voluntary compliance with traffic laws. Educating the public can help reduce violations by fostering a better understanding of the risks and responsibilities associated with road use, while enforcement ensures that those who violate the rules are held accountable.

The Maui Police Department statistics provided highlight a concerning trend involving pedestrian safety. A total of 247 motor vehicle accidents involving pedestrians between January 1, 2022, and March 31, 2025, is a significant number, and the severity of the injuries sustained in these accidents, ranging from minor to fatal, underlines the importance of continued efforts to improve both pedestrian safety and driver awareness.

The breakdown of the injuries is also notable:

- **144 incidents with minor injuries** suggests that a large portion of these accidents could have resulted in more serious consequences.

- **68 incidents with serious injuries** points to the need for better preventive measures.
- **13 fatal accidents** are particularly alarming, indicating that the safety of pedestrians remains a critical concern.

The National Highway Traffic Safety Administration (NHTSA) plays a critical role in improving road safety across the United States. By focusing on reducing deaths, injuries, and economic losses from motor vehicle crashes, NHTSA aims to create a safer environment for all road users, including drivers, passengers, pedestrians, and cyclists.

The agency's work involves setting safety standards, conducting vital research, and enforcing regulations that help mitigate risks on the road. Through initiatives like vehicle safety standards, traffic safety programs, and crash data collection, NHTSA helps inform policies and practices that can prevent crashes and reduce their impact when they do occur. Its mission of saving lives, preventing injuries, and reducing the economic costs of crashes is crucial for improving public safety.

The statistics and guidelines provided by the National Highway Traffic Safety Administration (NHTSA) emphasize the ongoing need for heightened awareness and proactive safety measures when it comes to pedestrian traffic. While the 3.6% decrease in fatalities from 2022 to 2023 is a positive sign, the fact that pedestrian deaths and injuries continue to rise overall signals a clear area of concern. The increase in pedestrian injuries, particularly with an 11% rise in 2022, underscores the importance of taking immediate steps to mitigate these risks.

NHTSA's pedestrian safety guidelines are crucial, as they encourage both proactive safety measures and increased awareness from pedestrians themselves. Encouraging behaviors like using sidewalks when available, walking facing traffic when sidewalks aren't present, and crossing streets at designated areas are simple but powerful ways to reduce risk. Additionally, the emphasis on being visible, staying aware of surroundings, and never assuming drivers see you can all make a meaningful impact on pedestrian safety.

The Maui Police Department recognizes the benefits of walking as a mode of transportation, including its positive impacts on reducing carbon emissions and promoting public health. Walking is not only an environmentally friendly choice but also contributes to a healthier community overall.

At the same time, it's essential to acknowledge the challenges pedestrians face in ensuring their safety. Enhancing pedestrian safety is a proactive approach that involves making concrete improvements to the infrastructure and roadways that pedestrians rely on. Ensuring safer pathways, improving crosswalk visibility, installing pedestrian-friendly traffic signals, and addressing any dangerous areas or intersections will have a significant impact on reducing accidents and injuries.

By focusing on these infrastructure improvements, the legislature can create a safer environment for pedestrians while still promoting the benefits of walking. This holistic approach, combining better safety measures, educational outreach, and improved infrastructure, can make walking a safer and more viable transportation option for the community.

Given the concerning statistics regarding pedestrian accidents and injuries, the Maui Police Department is in OPPOSITION to SB106, as it compromises pedestrian safety. Compromising pedestrian safety, even in the name of testing pedestrian-friendly policies, could potentially exacerbate the risks that already exist on Maui's roadways. Given the rise in pedestrian fatalities and injuries, it is crucial that any policies aimed at improving pedestrian mobility are carefully balanced with comprehensive safety measures, rather than reducing protections for pedestrians.

By OPPOSING SB106, the Maui Police Department is advocating for policies that ensure pedestrian safety is at the forefront, utilizing data-driven, evidence-based approaches that can have a lasting positive impact on reducing accidents and fostering safer environments for both pedestrians and motorists.

## OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

REIKO MATSUYAMA, MANAGING DIRECTOR

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### Testimony of Derek S.K. Kawakami

Mayor, County of Kaua'i

Before the

#### Committee on Judiciary & Hawaiian Affairs

Wednesday, April 2, 2025, 2:00 PM

Conference Room 325 and Videoconference

In consideration of

#### Senate Bill 106 SD1 HD1

#### Relating to Pedestrians

Honorable Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

On behalf of the County of Kaua'i, I respectfully **oppose** Senate Bill 106 SD1 HD1 relating to pedestrians, and which establishes a three-year Pedestrian Safety Pilot Program in a county with a population of two hundred fifty thousand or less; authorizes the Governor to revoke and abolish the Pilot Program and overturn a county's request to opt-out of the Pilot Program; authorizes a county with a population of over two hundred fifty thousand to participate in the Pilot Program; requires a report to the Legislature; and requires a vehicle to yield to a pedestrian when the pedestrian clearly indicates their intention to cross a roadway with a crosswalk; and sunsets on June 30, 2028.

The County of Kaua'i constantly strives to improve the safety for our pedestrians, bicyclists, and motorists. Our Planning Department and Department of Public Works work together with our community in developing and implementing plans to improve safety for all. Our Planning Department received a grant to develop a countywide comprehensive safety action plan through the Safe Streets and Roads for All grant which should launch this summer.

Our Public Works Engineering Division continually works with our communities in implementing Safe Routes to Schools plans. Additionally, we recently were awarded a United State Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant for our Po'ipū Road Safety and Mobility Project which includes crosswalks and sidewalks. In other projects, we continue working towards providing our communities with more complete streets which include roundabouts and sidewalks.

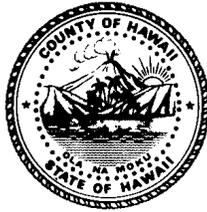
Our Ke Ala Hele Makalae shared use path which runs for about eight miles along our eastern shore was inducted in the Rails to Trails Conservancy's Hall of Fame last September. This path provides an alternative to one of our island's busiest roads on the east side of Kaua'i.

We support and applaud the partnership between the Hawai'i State Department of Transportation, the Hanalei to Hā'ena Community Association, and the Hanalei Roads Committee with the planning, development, and recent pouring of sidewalks in Hanalei town where pedestrian traffic is bountiful.

As you see, the County of Kaua'i continuously strives to improve the safety and quality of pedestrian access. SB 106 SD1 HD1 allows pedestrians to make decisions that may deviate from the established rules for pedestrian, bicycle, and motor vehicles that could bring confusion and conflict to our roadways. By no means do we support or encourage pedestrians to act contrary to the Statewide Traffic Code with the practice of jaywalking nor the formal legalization of the practice in our Hawai'i statutes.

Thank you for the opportunity to provide testimony in opposition to SB 106 SD1 HD1.

C. Kimo Alameda, Ph.D.  
Mayor



Neil A. Azevedo  
Acting Director

William V. Brilhante, Jr.  
Managing Director

County of Hawai‘i  
DEPARTMENT OF PUBLIC WORKS  
Aupuni Center

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public\_works@hawaiiicounty.gov

April 2, 2025  
2:00 p.m.  
State Capitol, Room 430

**S.B. 106, S.D. 1 H.D. 1  
RELATING TO PEDESTRIANS**

House Committee on Judiciary & Hawaiian Affairs

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Additionally, the creation of a pilot program that applies only to certain counties will further complicate statewide consistency in traffic laws. With different rules in different jurisdictions, both residents and visitors will face confusion over what is legal and safe behavior, especially in areas where county boundaries are not readily apparent to pedestrians or drivers. Hawaii sees millions of visitors each year, many of whom rent vehicles and are unfamiliar with local laws. Inconsistent traffic rules from county to county increase the potential for misinterpretation, reduce compliance, and create challenges for enforcement and public education.

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Virginia was the first state to enact a statute similar to this bill in 2021. Prior to this date the average pedestrian fatalities going back 6 years was 118 deaths. In 2022 pedestrian deaths rose to 173, a 46% increase from the previous year's average. Fatality rates for years after 2022 have not yet been posted on the National Highway Traffic Safety Administrations website.

Requiring that a driver stop for a pedestrian who clearly signals their intent to cross a roadway within a crosswalk would lead to confusion for both drivers and pedestrians. It may not be possible or practical for a pedestrian to effectively communicate their intention to cross. A pedestrian might think they have clearly signaled their intention to cross and expect a vehicle to stop if required by law, while the driver could mistakenly believe the pedestrian is waiting for a ride or socializing. Additionally, there is no standardized or universally recognized way for a pedestrian to indicate their intent to cross, which could lead to further misinterpretation, confusion, and inconsistency in enforcement. Most states do not require vehicles to stop for pedestrians outside of crosswalks, and with the high volume of visitors in Hawaii, this would cause even more confusion.

Thank you for the opportunity to provide testimony.

## ENGINEERING DIVISION

### DEPARTMENT OF PUBLIC WORKS

TROY TANIGAWA, P.E., COUNTY ENGINEER

BOYD GAYAGAS, DEPUTY COUNTY ENGINEER



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

### Testimony of Michael Moule

Chief of Engineering

County of Kaua'i

Department of Public Works

Before the House Committee on  
**JUDICIARY & HAWAIIAN AFFAIRS**

Tuesday, April 2, 2025 2:00 PM

In consideration of

**Senate Bill 106 SD1 HD1**

**Relating to Pedestrians**

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The County of Kaua'i Department of Public Works (DPW) **opposes** S.B. 106, S.D. 1 H.D. 1, which establishes a three-year pedestrian safety pilot program in each county with a population of two hundred fifty thousand or less, under certain conditions. The measure also allows larger counties to opt in, gives the Governor revocation authority, and requires drivers to yield to pedestrians who clearly indicate intent to cross in a crosswalk.

The statewide traffic code already provides flexibility for pedestrian crossings, HRS Chapter 291C, does not currently prohibit pedestrians from crossing a roadway at any location, except diagonally across an intersection and between adjacent signalized intersections. Therefore, for most areas of the County of Kauai, crossing at most locations outside of a crosswalk would not be a violation of the existing statewide traffic code. In addition, unmarked crosswalks exist at every intersection if marked crosswalks are not provided. We believe a key factor for pedestrian street crossing safety, whether a pedestrian is in or not in a crosswalk, exists when the pedestrian does **not** cross the street unless the nearest vehicle operator clearly yields the right of way to the pedestrian. The term "clearly signals" is subjective and requires more detail as suggested below. As indicated on page 8, paragraphs k.1 and k.2, all roadway users are responsible for practicing behavior that preserves safety of themselves, especially pedestrians when they use designated pedestrian zones including crosswalks, as well as safety of other roadway users.

We would like to recommend some changes to portions of the vehicle code related to pedestrian crossings, as follows:

1. Kaua'i has many two-lane roads where the only roadway pavement consists of 20 feet (or less) of travel lanes. In these situations, it is impossible for a pedestrian to enter the crosswalk to signal their intent to cross, without stepping into an active motor vehicle travel lane. Therefore, we agree with the concept that the law should require a driver to yield to a pedestrian before the pedestrian is in the crosswalk. However, as noted above, "clearly indicating" is subjective.

We recommend that research be done to identify laws in other jurisdictions that better define how a pedestrian can indicate their intent to cross, to draft language to add to HRS 291C-72. For example, Kaua'i has installed many rectangular rapid flashing beacons as described in the Manual on Uniform Traffic Control Devices; the law could reference these beacons as a means of indicating crossing intent. Extending a hand toward the crosswalk is another means by which a pedestrian can indicate their crossing intent.

2. We recommend changes to HRS 291C-73 regarding pedestrians crossing other than at crosswalks, as follows:
  - a. We recommend deletion of HRS 291C-73 (b), which states, "Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway." This subsection is mostly redundant with subsection (a), which already requires pedestrians to yield the right-of-way when crossing outside of a marked or unmarked crosswalk. The only effect of subsection (b) is to remove pedestrians' right-of-way at crosswalks that happen to be near a pedestrian tunnel or overhead pedestrian crossing. The fact that it is possible for a marked crosswalk to not require drivers to yield to pedestrians is potentially confusing for both pedestrians and drivers.
  - b. We recommend modifying HRS 291C-73 (c), as follows:

*(c) Within 150 feet of intersections or crosswalks at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.*

The original law prohibiting crossing between adjacent signalized intersections made sense when most signalized intersections were within the town core and downtown areas with grid systems of streets. However, in suburban, and even some town core contexts with limited street networks, signalized intersections are often very far apart. If "adjacent" is interpreted to mean any two signalized intersections where there are no intervening unsignalized intersections, the existing law is ambiguous in these environments.

For example, on Rice Street in Līhu'e, the County of Kaua'i has jurisdiction over three signalized intersections, at Umi Street, Hardy Street, and Ho'olako Street. The distance between the Umi Street and Hardy Street intersections is approximately 1,250 feet. The intervening unsignalized intersections of Rice Street with Ewalu Street and Kress Street make it so that pedestrians can cross anywhere between Umi Street and Hardy Street, even within 20 feet of the crosswalks at those intersections, as long as they yield to vehicles. The distance between the Hardy Street and Ho'olako Street intersections is approximately 1,800 feet and there are no intervening unsignalized intersections. This could be interpreted that pedestrians cannot legally cross anywhere between these two streets except at one midblock unmarked crosswalks. It's nearly impossible for drivers or pedestrians to understand the legal difference when crossing Rice Street west of Hardy Street or east of Hardy Street. A better solution is to prohibit crossing within a specific distance of signalized intersections or signalized crosswalks, as we've suggested above. The 150-foot distance is a reasonable distance where pedestrians can typically

make a judgement of a safe place to cross, relative to turning movements at the nearby signalized intersection. However, this distance could be adjusted as needed.

Thank you for the opportunity to provide testimony.



**Support for SB106 - Relating to Pedestrians**  
**House Committee on Judiciary & Hawaiian Affairs (JHA)**  
**Wednesday, April 2, 2025**

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Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committee, Mahalo for the opportunity to express **SUPPORT for SB106 HD1**, also referred to as the “Freedom to Walk” bill, which would authorize pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle, if the pedestrian is more than 200 feet from a crosswalk. The bill would also require drivers to stop for pedestrians who are indicating their intention to cross the roadway.

### **Prevalence & Impacts of Jaywalking Citations**

**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.<sup>1</sup>

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.

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>2</sup> Only 15% of the articles described a safety solution.

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<sup>1</sup> Hawai'i Appleseed, “Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure,” 2023. [Available here.](#)

<sup>2</sup> L. Brooke Keliikoa, et. al., “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. 2019.

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>3</sup> Unfortunately, race and ethnicity data were not obtained by the police for jaywalking citations reviewed by Hawai'i Appleseed.
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.** Typical jaywalking tickets on O'ahu are between \$130 and \$180. These fines are more than some other driving-related traffic violations, such as speeding. Unpaid traffic 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, difficulty in obtaining government services, as well as negative impacts on employment and housing opportunities.

## Suggested Amendments

With the recent amendments made to SB106, we are concerned that the current measure is overly convoluted and will have an extremely limited impact. To address these issues, we believe that:

- **Restrictions regarding where crossing the street is allowed should be simplified.** In addition to requiring that pedestrians be more than 200 feet more away from a crosswalk, SB106, SD1, HD1 excludes crossing outside of crosswalks on roadways: over 25+ mph, with limited pedestrian visibility, and with high pedestrian-vehicle conflict. This would severely limit the scope of this bill and also would be difficult to implement in practice, given the vagueness of these terms. Should the JHA committee find it necessary to restrict the applicability of this bill, we believe only state highways on O'ahu should be excluded, given their high-speeds and high-volume traffic.
- **The bill should allow pedestrians to cross against the Don't Walk or Upraised Palm (i.e., Countdown Timer) when there is no immediate danger of a collision.** In addition to crossing outside of marked crosswalks, there are many violations under HRS§291C that pedestrians can be cited for, including crossing on the don't walk sign or countdown timer (HRS§ 291C-33). According to Judiciary data from 2018-2023, 46% of jaywalking citations were given to pedestrians for crossing against the don't walk sign or countdown timer.<sup>4</sup>
- **Additional pedestrian fines proposed in Section 2(b) should be removed.** Given that there are existing fines for pedestrian violations under HRS§291C, it is unclear why additional fines would

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<sup>3</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>4</sup> Hawai'i Appleseed, "Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure," 2023. [Available here.](#)

be imposed on pedestrians for creating an immediate danger of collision with a moving vehicle. Under the current language of the bill, it seems possible that pedestrians could be ticketed for multiple violations. Thus, they could be penalized more heavily than under the current regulations.

- **The governor/mayor should not be allowed to opt out of the pilot program.** Should the governor not want to implement the proposed pilot program, he has the power to veto the bill.
- **The proposed pilot program should include the City and County of Honolulu.** It's important that O'ahu be included in the pilot program, as based on judiciary data from 2018-2023, this is where 99% of the jaywalking tickets were given.

As such, we suggest amending Section 2 of the SB106 SD1 HD1 so that it reads:

SECTION 2. (a) There shall be established a three-year pedestrian safety pilot program in each county. Notwithstanding any other law to the contrary, under the pilot program, no pedestrian shall be stopped by a law enforcement officer, fined, or subjected to any other penalty for crossing the street outside of marked crosswalks, or crossing against the Don't Walk or Upraised Palm signal at pedestrian control devices, provided that:

(1) On counties with a population of over two hundred fifty thousand, the pedestrian is not located on a state highway.

(2) A reasonably careful pedestrian would determine there is no immediate danger of a collision with a moving vehicle.

(3) The department of transportation shall, in coordination with the State Safe Routes to School Advisory Committee, collect and analyze data on the impacts of the pilot program and submit biannual reports to the legislature no later than sixty days prior to the convening of the regular sessions of 2026, 2027, and 2028 and sixty days after adjournment sine die of the regular sessions of 2026, 2027, and 2028.

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



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)

**Support for SB106 - Relating to Pedestrians**  
**House Committee on Judiciary & Hawaiian Affairs (JHA)**  
**Wednesday, April 2, 2025 Tuesday, April 1st, 2025**

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Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committee,

Mahalo for the opportunity to express Get Fit Kaua'i's support for SB106, also known as the "Freedom to Walk" bill. This bill would allow pedestrians to cross streets when they determine it is safe, even if they are more than 200 feet away from a crosswalk. It would also require drivers to stop for pedestrians signaling their intent to cross.

In Hawai'i, jaywalking citations are disproportionately high compared to other U.S. locations. Between 2018 and 2023, over 30,000 jaywalking citations were issued, far outpacing other regions like Washington state, where just 9,800 citations were given over the past 23 years. This over-enforcement of jaywalking laws leads to several negative impacts, including hostility towards pedestrians, over-policing of communities of color, loss of state revenue, and the long-term consequences of unpaid fines.

We believe SB106 can help address these issues, but we recommend amendments to simplify its provisions. Restricting crossings to only areas more than 200 feet from a crosswalk and excluding certain roadways based on speed and visibility could limit the bill's effectiveness and create ambiguity in enforcement. If restrictions are necessary, we suggest excluding only state highways on O'ahu, where high speeds and traffic pose greater risks.

Additionally, we support allowing pedestrians to cross against the "Don't Walk" or countdown timer signs when there is no immediate danger, as a significant number of citations are given for this action. We also suggest removing the new fines proposed for pedestrians creating an immediate danger of collision, as they may lead to double penalties for the same behavior.

**We recommend that the bill not allow the governor or mayor to opt out of the pilot program and that the City and County of Honolulu be included, as this is where most jaywalking citations are issued.**

To clarify these points, we propose amendments to Section 2 of the bill to establish a three-year pedestrian safety pilot program with data collection and analysis to assess its impact.

Mahalo for considering these changes and for the opportunity to testify on this important measure.

*BBrody*

**Bev Brody**

Get Fit Kauai – Director

(808) 212-4765

[bbrody1@hawaii.rr.com](mailto:bbrody1@hawaii.rr.com)



## HIPHI Board

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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: March 31, 2025

To: Representative David A. Tarnas, Chair  
Representative Mahina Poepoe, Vice Chair  
Members of the Committee on Judiciary and Hawaiian Affairs

RE: Support for SB 106 SD1 HD1, Relating to Pedestrians

Hrg: Wednesday, April 2nd, 2025, 2:00PM, Conference Room 325

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Hawai'i Public Health Institute (HIPHI)<sup>1</sup> and the Healthy Eating + Active Living (HEAL)<sup>2</sup> Statewide Coalition are in **strong support of SB 106 SD1 H1**, also referred to as the "Freedom to Walk" bill, which authorizes a pilot project to allow pedestrians to cross the street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle.

**Suggested Amendments:** With the recent amendments made to SB106, we are concerned that the current measure is overly convoluted and will have an extremely limited impact. To address these issues, we believe that:

**Restrictions regarding where crossing the street is allowed should be simplified.** In addition to requiring that pedestrians be more than 200 feet more away from a crosswalk, SB106, SD1, HD1 excludes crossing outside of crosswalks on roadways with speed limits over 25 mph, limited pedestrian visibility, and high pedestrian-vehicle conflict. This would severely limit the scope of this bill and also would be difficult to implement in practice, given the vagueness of these terms. Should the JHA committee find it necessary to restrict the applicability of this bill, we believe only state highways on O'ahu should be excluded, given their high speeds and high-volume traffic.

**The bill should allow pedestrians to cross against the Don't Walk or Upraised Palm (i.e., Countdown Timer) when there is no immediate danger of a collision.** In addition to crossing outside of marked crosswalks, there are many violations under HRS §291C that pedestrians can be cited for, including crossing on the don't walk sign or countdown timer (HRS§ 291C-33).

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



According to Judiciary data from 2018-2023, 46% of jaywalking citations were given to pedestrians for crossing against the don't walk sign or countdown timer.<sup>3</sup>

**Additional pedestrian fines proposed in Section 2(b) should be removed.** Given that there are existing fines for pedestrian violations under HRS §291C, it is unclear why additional fines would be imposed on pedestrians for creating an immediate danger of collision with a moving vehicle. Under the current language of the bill, it seems possible that pedestrians could be ticketed for multiple violations. Thus, they could be penalized more heavily than under the current regulations.

**The governor/mayor should not be allowed to opt out of the pilot program.** Should the governor not want to implement the proposed pilot program, he has the power to veto the bill.

**The proposed pilot program should include the City and County of Honolulu.** It's important that O'ahu be included in the pilot program, as based on judiciary data from 2018-2023, this is where 99% of jaywalking tickets in our state were given.

**As such, we suggest amending Section 2 of the SB106 SD1 HD1 to read:**

SECTION 2. (a) There shall be established a three-year pedestrian safety pilot program in each county. Notwithstanding any other law to the contrary, under the pilot program, no pedestrian shall be stopped by a law enforcement officer, fined, or subjected to any other penalty for crossing the street outside of marked crosswalks, or crossing against the Don't Walk or Upraised Palm signal at pedestrian control devices, provided that:

(1) On counties with a population of over two hundred fifty thousand, the pedestrian is not located on a state highway and

(2) A reasonably careful pedestrian would determine there is no immediate danger of a collision with a moving vehicle.

(3) The department of transportation shall, in coordination with the State Safe Routes to School Advisory Committee, collect and analyze data on the impacts of the pilot program and submit biannual reports to the legislature no later than sixty days prior to the convening of the regular sessions of 2026, 2027, and 2028, and sixty days after adjournment sine die of the regular sessions of 2026, 2027, and 2028.

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>4</sup>

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<sup>3</sup> Hawai'i Appleseed, "Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure," 2023. [Available here.](#)

<sup>4</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>.

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.

### **50 Times More Jaywalking Tickets in Hawai'i Compared to Washington State**

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:

**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>5</sup> Only 15% of the articles described a safety solution.

**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>6</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.

**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.

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<sup>5</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>6</sup> Kuntzman, Gersh. (2020). *Jaywalking While Black: Final 2019 Numbers Show Race-Based NYPD Crackdown Continues*. StreetsBlog NYC. Available at <https://nyc.streetsblog.org/>.



**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>7</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, and negative impacts on 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.

**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.

We recommend moving away from enforcement strategies to a more holistic approach that centers on building safe, accessible pedestrian infrastructure.

Mahalo for the opportunity to testify on this important measure.

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> 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/>.

April 2, 2025, 2 p.m.  
Hawaii State Capitol  
Conference Room 325 and Videoconference

**To: House Committee on Judiciary & Hawaiian Affairs**  
**Rep. David A. Tarnas, Chair**  
**Rep. Mahina Poepoe, Vice Chair**

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

RE: TESTIMONY IN SUPPORT OF SB106 SD1 HD1 — RELATING TO PEDESTRIANS

Aloha Chair Tarnas, Vice Chair Poepoe and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer its **support** for [SB106 SD1 HD1](#), which establishes a limited three-year Pedestrian Safety Pilot Program. Pedestrians in the counties that participate in the program would be allowed to cross the street outside of marked crosswalks when it is safe to do so.

We appreciate the Legislature's willingness to consider pedestrian-centered reform, but we are disappointed that SB106 has been reduced to a limited pilot program. We are especially troubled to see that Oahu is excluded from the program, given that Oahu is where the vast majority of jaywalking citations occur. It seems counterproductive to create a pilot program without including the county where the program would be most relevant.

Research from the Hawai'i Appleseed Center for Law and Economic 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.

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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.

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> Previous versions of SB106 even noted that, “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, a study by the World Health Organization cited by Bloomberg found that the U.K. has about half as many pedestrian deaths per capita as the U.S., despite allowing pedestrians to cross where they please.<sup>4</sup> And in Norway, the world leader in eliminating pedestrian traffic deaths, again “there is no rule against jaywalking.”<sup>5</sup>

We urge the Committee to expand the pilot program to include Oahu.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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

<sup>4</sup> Angie Schmitt and Charles T. Brown, “[9 Reasons to Eliminate Jaywalking Laws Now](#),” Bloomberg, Oct. 16, 2020.

<sup>5</sup> [Ibid.](#)



## Testimony of the Oahu Metropolitan Planning Organization

### House Committee on Judiciary & Hawaiian Affairs

04/02/2025 2:00PM

CR 325 & Videoconference

**SB106 SD1 HD1**

**RELATING TO PEDESTRIANS**

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB106 SD1 HD1 with a recommendation**, which would establish a three-year pedestrian safety pilot program in counties with a population of 250,000 or less which prohibits a pedestrian from being subjected to a penalty for crossing outside of a marked crosswalk, and authorizes a county with a population of over 250,000 to participate in the pilot program, subject to certain conditions. The bill would also add language to the statewide traffic code that would require drivers to stop for pedestrians who clearly indicate their intention to cross the roadway at a crosswalk.

SB106 was recently amended so that Oahu may be excluded from the three-year pilot program allowing pedestrians to cross safely outside of a marked crosswalk. Based on judiciary data from 2018-2023, 99% of jaywalking tickets in the state were issued on Oahu<sup>1</sup>. It would be a missed opportunity to not apply the pedestrian safety pilot program in the county that accounts for essentially all jaywalking citations. As such, we **recommend** the JHA committee amend SB106 to require that the three-year pilot program is established across all counties, including Oahu.

This bill 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>2</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 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,

<sup>1</sup> <https://hiappleseed.org/publications/freedom-to-walk>

<sup>2</sup> [https://oahumpo.org/?wpfb\\_dl=3273](https://oahumpo.org/?wpfb_dl=3273)

Kansas City, and New York City, with more likely to follow suit<sup>3</sup>. In the states where these measures have been implemented and relevant data is available, there has been no significant change in pedestrian fatalities<sup>4</sup>. In Hawaii, pedestrian fatalities continue to rise despite the enforcement of jaywalking laws<sup>5</sup>. To make Hawaii's streets safer, transportation policy should shift effort away from pedestrian policing and instead focus on more effective traffic calming measures, such as the Safe System Elements and Goals identified in the Oahu Vision Zero Action Plan<sup>6</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>7</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>8</sup>. The fines associated with jaywalking disincentivize walking and thus present a barrier to Hawaii's climate goals to reduce vehicle miles travelled. 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, efficient, and resilient transportation system that serves the mobility needs of all people and freight (including walkways, bicycles, and transit), fosters economic growth and development, 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>3</sup> <https://americawalks.org/redefining-safety-without-penalties/>

<sup>4</sup> <https://americawalks.org/jaywalking-reform-progress/>

<sup>5</sup> <https://hidot.hawaii.gov/highways/files/2023/02/Fatality-Breakdown-by-Counties-20230222.pdf>

<sup>6</sup> <https://www8.honolulu.gov/completestreets/wp-content/uploads/sites/37/2024/09/Oahu-Vision-Zero-Action-Plan.pdf>

<sup>7</sup> <https://www.honolulupd.org/information/motor-vehicle-safety/>

<sup>8</sup> <https://governor.hawaii.gov/newsroom/office-of-the-governor-news-release-historic-agreement-settles-navahine-climate-litigation/>



**COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**

**Rep. David A. Tarnas, Chair**

**Rep. Mahina Poepoe, Vice Chair**

**DATE: Wednesday, April 2, 2025**

**TIME: 2:00 p.m.**

**PLACE: VIA VIDEOCONFERENCE  
Conference Room 325**

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

**RE: RELATING TO PEDESTRIANS**

My name is Lisa Dau, and I serve as the Injury Prevention Coordinator for the Keiki Injury Prevention Coalition (KIPC). Our mission at KIPC is to prevent and reduce injuries to children in Hawaii. One of our key initiatives, *Pedestrian Safety, Keiki to Kupuna*, focuses on promoting public education and awareness campaigns to enhance pedestrian safety for all ages.

KIPC opposes SB106, SD1, HD1, and expresses concerns about a proposal that seeks to relax jaywalking laws by allowing pedestrians to cross streets outside of designated crosswalks. While the intention may be to provide more flexibility, this bill poses serious risks to public safety, legal clarity, and traffic efficiency.

First, **public safety** is the primary concern. Allowing pedestrians to cross outside of designated areas, even when exercising "reasonable care," increases the risk of incidents occurring. Pedestrians may misjudge the speed of approaching vehicles, leading to more injuries and fatalities. Our crosswalks and signals exist for a reason—to prevent unnecessary harm.

Secondly, the bill introduces **legal ambiguity**. It states that crossings are permitted if no vehicles pose an "immediate danger," but how can we define "immediate" or measure what is "safe"? This vagueness can complicate investigations and insurance claims, making it more difficult to determine fault and liability.

Third, this reform **undermines traffic control** efforts. Our streets are designed with crosswalks and signals to balance pedestrian and vehicle movement. Encouraging unpredictable pedestrian crossings may disrupt traffic flow, increasing congestion and potential hazards.

Finally, the bill creates **enforcement challenges**. Police officers will have difficulty determining whether a pedestrian was within 200 feet of a crosswalk or whether they truly exercised "reasonable care." This could lead to uneven enforcement and legal disputes.



SB106 SD1, HD1 prioritizes convenience over safety. Instead of weakening pedestrian laws, we should focus on improving crosswalk accessibility, adding pedestrian signals, and enhancing driver awareness. A safer, more structured approach will protect both pedestrians and drivers alike.

This isn't about punishing pedestrians; it's about reality. Rules exist for order, not oppression. SB106, SD1, HD1 trades that for feel-good vibes, ignoring data, infrastructure, and common sense.

Thank you for your time and consideration.

Sincerely,  
Lisa Dau, RN, MBA, BSN, CPSTI  
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/>



## Hawai'i

Committee: Judiciary & Hawaiian Affairs  
Hearing Date/Time: Wednesday, April 02, 2025 at 2:00pm  
Place: Conference Room 325 & Via Videoconference  
RE: *Testimony of the ACLU of Hawai'i in **SUPPORT of SB106 SD1 HD1** Relating to Pedestrians with Amendments*

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

ACLU of Hawai'i **SUPPORTS SB106 SD1 HD1**, which establishes a three-year Pedestrian Safety Pilot Program in a county with population of 250,000 or less, under certain conditions and authorizes the Governor to revoke and abolish the Pilot Program and overturn a county's request to opt-out of the Pilot Program. The bill also authorizes a county with a population of over 250,000 to participate in the Pilot Program, subject to certain conditions and requires reports to the legislature. Finally, the bill requires a driver of a vehicle to yield to a pedestrian when the pedestrian clearly indicates their intention to cross a roadway within a crosswalk and has a sunset date of 6/30/28.

Based on a recent report titled "Freedom to Walk", published by Hawai'i Appleseed, from 2018 to 2023 there were 30,168 jaywalking citations given in Hawai'i, with an average of 5,028 jaywalking citations per year. This does not include sealed cases or juvenile records. **This demonstrates that Hawai'i issue significantly higher jay-walking citations compared to other localities in the U.S.**

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.

Admittedly, more analysis is needed to understand the geographic distribution of jaywalking citations. However, Appleseed found that an overwhelming majority of jaywalking citations are concentrated in densely populated, urban areas of O'ahu.

**ACLU of Hawai'i champions civil rights and liberties enshrined in our federal and Hawai'i Constitutions.** Because police have broad discretion over their response to traffic violations, jaywalking lends itself to biased enforcement. **Over-policing of people based on race and color violates equal protection under the law.** 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.

Given all this, we request the following amendments be made to the bill:

- **The proposed pilot program should include the City and County of Honolulu.** It's important that O'ahu be included in the pilot program, as based on judiciary data from 2018-2023, this is where 99% of the jaywalking tickets were given.
- **Additional pedestrian fines proposed in Section 2(b) should be removed.** Given that there are existing fines for pedestrian violations under HRS§291C, it is unclear why additional fines would be imposed on pedestrians for creating an immediate danger of collision with a moving vehicle. Under the current language of the bill, it seems possible that pedestrians could be ticketed for multiple violations. Thus, they could be penalized more heavily than under the current regulations.
- **Restrictions regarding where crossing the street is allowed should be simplified.** In addition to requiring that pedestrians be more than 200 feet more away from a crosswalk, SB106, SD1, HD1 excludes crossing outside of crosswalks on roadways: over 25+ mph, with limited pedestrian visibility, and with high pedestrian-vehicle conflict. This would severely limit the scope of this bill. Moreover, it would be difficult to implement in practice, given the vagueness of these terms. Should the JHA committee find it necessary to restrict the applicability of this bill, we believe only state highways on O'ahu should be excluded, given their high-speeds and high-volume traffic.
- **The bill should allow pedestrians to cross against the Don't Walk or Upraised Palm (i.e., Countdown Timer) when there is no immediate danger of a collision.** In addition to crossing outside of marked crosswalks, there are many violations under HRS§291C that pedestrians can be cited for, including crossing on the don't walk sign or countdown timer (HRS§ 291C-33). According to Judiciary data from 2018-2023, 46% of jaywalking citations were given to pedestrians for crossing against the don't walk sign or countdown timer.<sup>1</sup>
- **The governor/mayor should not be allowed to opt out of the pilot program.** Should the governor not want to implement the proposed pilot program, he has the power to veto the bill.

Please pass SB106 SD1 HD1 with these suggested amendments.

Sincerely,

**Josh Frost**  
Policy Advocate  
ACLU of Hawai'i

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.*

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<sup>1</sup> Hawai'i Appleseed, "Freedom to Walk: Decriminalizing Jaywalking and Shifting Investment Towards Safe, Accessible Pedestrian Infrastructure," 2023. [Available here.](#)

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
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**SB-106-HD-1**

Submitted on: 3/29/2025 12:37:09 PM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure. Please enforce the current laws. Thank you.

**SB-106-HD-1**

Submitted on: 3/29/2025 12:38:37 PM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessie L Gonsalves	Individual	Support	Written Testimony Only

Comments:

Fully support this bill!

**SB-106-HD-1**

Submitted on: 3/29/2025 1:09:16 PM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tasman Kekai Mattox	Individual	Support	Written Testimony Only

Comments:

Pedestrian safety is key, especially in places like Honolulu, where I live.

Dear Chair Tarnas, Vice Chair Poepoe, and members of the House Judiciary and Hawaiian Affairs Committee,

My name is Kiana Otsuka, and I am a Transportation Planner whose expertise is in walk, roll, bike, and transit. I am writing **to offer comments on SB 106 SD1 HD1 and offer recommendations to improve the bill**, which establishes a three-year Pedestrian Safety Pilot Program in a county with population of two hundred fifty thousand or less, under certain conditions, authorizes the Governor to revoke and abolish the Pilot Program and overturn a county's request to opt-out of the Pilot Program, authorizes a county with a population of over two hundred fifty thousand to participate in the Pilot Program, subject to certain conditions, requires reports to the Legislature, and requires a driver of a vehicle to yield to a pedestrian when the pedestrian clearly indicates their intention to cross a roadway within a crosswalk.

**To strengthen the bill, I'd like to ask the committee to**

1. **Remove the provision that states that the bill shall “only apply when the pedestrian is more than two hundred feet from a marked crosswalk.”** There is no clear rationale or evidence to support that specific measurement. Moreover, it will be difficult to enforce with accuracy and puts the burden on people walking. Should there be a desire to restrict the applicability of this bill, I'd like to recommend that the bill be amended to clarify the measure is only applicable on roadways that are two-lanes wide or smaller. This is more practical and can be easily assessed by both law enforcement and pedestrians.
2. **Allow pedestrians to cross against the Don't Walk or Upraised Palm (i.e., Countdown Timer) when there is no immediate danger of a collision.** In addition to crossing outside of marked crosswalks, there are many violations under HRS§291C that pedestrians can be cited for, including crossing on the don't walk sign or countdown timer (HRS§ 291C-33). According to Judiciary data from 2018-2023, 46% of jaywalking citations were given to pedestrians for crossing against the don't walk sign or countdown timer.
3. **Remove additional pedestrian fines proposed in Section 2(b).** Given that there are existing fines for pedestrian violations under HRS§291C, it is unclear why additional fines would be imposed on pedestrians for creating an immediate danger of collision with a moving vehicle. Under the current language of the bill, it seems possible that pedestrians could be ticketed for multiple violations. Thus, they could be penalized more heavily than under the current regulations.
4. **Remove the provision where the governor/mayor is allowed to opt out of the pilot program.** Should the governor not want to implement the proposed pilot program, he has the power to veto the bill.
5. **Allow the proposed pilot program to include the City and County of Honolulu.** It's important that O'ahu be included in the pilot program, as based on judiciary data from 2018-2023, this is where 99% of the jaywalking tickets were given.

I am excited to see the legislature consider a version of this bill again because current statutes relating to pedestrians are needlessly restrictive and disproportionately impact people who do

not drive and those who primarily rely upon walking as a means of transportation. These people are often low-income and walk out of necessity, as owning and operating a vehicle is prohibitively expensive. I am particularly supportive of this bill for the following reasons:

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

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

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

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

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

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

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

<sup>3</sup> IBID.

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

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

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

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

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

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

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

**SB-106-HD-1**

Submitted on: 3/31/2025 7:56:31 AM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Molly Mamaril	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committee,

My name is Molly Mamaril and I am from Kaimukī, O‘ahu. We urge the JHA committee to pass SB106, which would allow pedestrians to cross the street outside of marked crosswalks, when it's safe to do so. Millions of taxpayer dollars have been spent in Hawai‘i enforcing jaywalking laws, yet we have little to show for it in terms of improved pedestrian safety. Jaywalking laws also disproportionately affect low-income residents. Since jaywalking tickets in Hawai‘i range from \$130 to \$180, receiving a ticket can be a significant burden for those living paycheck to paycheck.

SB106 was recently amended so that rules allowing people to cross the street outside of crosswalks would be a three-year pilot program that would exclude O‘ahu. Based on judiciary data from 2018-2023, 99% of the jaywalking tickets were given on O‘ahu. To ensure that all residents can benefit from SB106, we urge the JHA committee to amend that bill so that it applies to O‘ahu.

Let's pass SB106 and refocus resources on measures that truly enhance public safety.

Mahalo for your leadership and consideration of this bill.

Molly Mamaril

**SB-106-HD-1**

Submitted on: 4/1/2025 7:05:31 AM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Charlotte Frank	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committee,

My name is Charlotte Frank and I am from Ala Moana. We urge the JHA committee to pass SB106, which would allow pedestrians to cross the street outside of marked crosswalks, when it's safe to do so. Millions of taxpayer dollars have been spent in Hawai'i enforcing jaywalking laws, yet we have little to show for it in terms of improved pedestrian safety. Jaywalking laws also disproportionately affect low-income residents. Since jaywalking tickets in Hawai'i range from \$130 to \$180, receiving a ticket can be a significant burden for those living paycheck to paycheck.

SB106 was recently amended so that rules allowing people to cross the street outside of crosswalks would be a three-year pilot program that would exclude O'ahu. Based on judiciary data from 2018-2023, 99% of the jaywalking tickets were given on O'ahu. To ensure that all residents can benefit from SB106, we urge the JHA committee to amend that bill so that it applies to O'ahu.

Let's pass SB106 and refocus resources on measures that truly enhance public safety.

Mahalo for your leadership and consideration of this bill,

Charlotte Frank

**SB-106-HD-1**

Submitted on: 4/1/2025 11:24:33 AM

Testimony for JHA on 4/2/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Hatzistavrakis	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committee,

My name is Patti Hatzistavrakis and I am from Pahoa. We urge the JHA committee to pass **SB106**, which would allow pedestrians to cross the street outside of marked crosswalks, when it's safe to do so. Millions of taxpayer dollars have been spent in Hawai'i enforcing jaywalking laws, yet we have little to show for it in terms of improved pedestrian safety. Jaywalking laws also disproportionately affect low-income residents. Since jaywalking tickets in Hawai'i range from \$130 to \$180, receiving a ticket can be a significant burden for those living paycheck to paycheck.

**SB106** was recently amended so that rules allowing people to cross the street outside of crosswalks would be a three-year pilot program that would exclude O'ahu. Based on judiciary data from 2018-2023, 99% of the jaywalking tickets were given on O'ahu. To ensure that all residents can benefit from SB106, we urge the JHA committee to amend that bill so that it applies to O'ahu.

**Let's pass SB106 and refocus resources on measures that truly enhance public safety.**

Mahalo for your leadership and consideration of this bill!

**SB-106-HD-1**

Submitted on: 4/1/2025 3:12:36 PM

Testimony for JHA on 4/2/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.