

JON N. IKENAGA
STATE PUBLIC DEFENDER



HAYLEY CHENG
ASSISTANT PUBLIC
DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HILO OFFICE
275 PONAHAHAWI STREET
HILO, HAWAII 96720
TEL. NO. 974-4571
FAX NO. 974-4574

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

KONA OFFICE
82-6127 MAMALAHOA HIGHWAY
P.O. BOX 1219
CAPTAIN COOK, HAWAII 96704
TEL. NO. 323-7562
FAX NO. 323-7565

APPEALS SECTION
TEL. NO. 586-2080

STATE OF HAWAII

OFFICE OF THE PUBLIC DEFENDER

DISTRICT COURT SECTION
TEL. NO. 586-2100

FAMILY COURT SECTION
TEL. NO. 586-2300

FELONY SECTION
TEL. NO. 586-2200

FAX (808) 586-2222

KAUAI OFFICE
3060 EIWA STREET
LIHUE, HAWAII 96766
TEL. NO. 274-3418
FAX NO. 274-3422

MAUI OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. NO. 984-5018
FAX NO. 984-5022

March 17, 2025

Committee on Transportation
Rep. Darius K. Kila, Chair
Rep. Tina Nakada Grandinetti, Vice Chair
415 South Beretania Street, Conf. Rm. 430
State Capital
Honolulu, HI 96813

Re: Testimony in Support of S.B. 106
Hearing: March 18, 2025, 10:00 AM

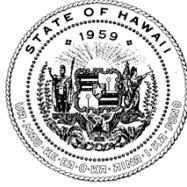
Dear Chair Kila, Vice Chair Nakada Grandinetti and Committee Members:

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 consider it safe to do so if the pedestrian is more than two hundred feet from a crosswalk.

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.



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

March 18, 2025
10:00 a.m.
State Capitol, Room 430 & Videoconference

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

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **opposes** S.B. 106, S.D. 1, 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 if the pedestrian is more than 200 feet from a marked crosswalk, and requires a driver of a vehicle to stop for a pedestrian when the pedestrian clearly indicates their intention to cross a roadway within a crosswalk.

The statewide traffic code, Hawaii Revised Statutes 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, 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.

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.

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Fern Holland
Arryl Kaneshiro



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

March 17, 2025

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
SB 106, SD 1, RELATING TO PEDESTRIANS
House Committee on Transportation
Tuesday, March 18, 2025
10:00 a.m.
Conference Room 430
Via Videoconference**

Dear Chair Kila and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 106, SD 1, Relating to Pedestrians. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of SB 106, SD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of SB 106, SD 1. 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.

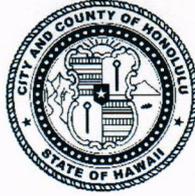
Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

JY:mn

CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org



RICK BLANGIARDI
MAYOR
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

March 18, 2025

The Honorable Darius K. Kila, Chair
and Members
Committee on Transportation
House of Representatives
415 South Beretania Street, Room 430
Honolulu, Hawaii 96813

Dear Chair Kila and Members:

SUBJECT: Senate Bill No. 106, S.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, 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.

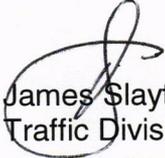
Statistics have shown that on O'ahu, the majority of collisions involving pedestrians that resulted in death or critical injuries were a result of pedestrians crossing outside of a marked crosswalk or against a "don't walk" signal.

The HPD urges you to oppose Senate Bill No. 106, S.D. 1, Relating Pedestrians. Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Arthur J. Logan
Chief of Police


James Slayter, Major
Traffic Division



COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

DATE: Tuesday, March 18, 2025
TIME: 10:00 A.M.
PLACE: VIA VIDEOCONFERENCE
Conference Room 430
State Capitol
415 South Beretania Street

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.

I am writing to **strongly oppose SB106 SD1**, which would permit pedestrians to disregard the statewide traffic code if they determine there is no immediate danger of a collision with a moving vehicle, particularly when more than 200 feet from a crosswalk. This measure raises significant safety concerns, as it relies on subjective judgment, potentially increasing the risk of pedestrian-related incidents and undermining established traffic safety laws.

There are several reasons for my opposition:

- 1. Confusion and Inconsistent Traffic Rules:** One of the most important principles of traffic safety is predictability. Drivers and pedestrians need clear, enforceable rules to follow. Allowing pedestrians to step into the roadway outside of crosswalks based on subjective judgment (i.e., whether they believe there is no immediate danger) introduces ambiguity. Drivers may not expect pedestrians to act in this manner, particularly in areas with heavy traffic or reduced visibility. This uncertainty could lead to incidents and conflicts on the road.
- 2. Reduced Driver Awareness:** Drivers are trained to look for pedestrians in crosswalks and designated crossing areas. When pedestrians act outside these areas, it may divert the driver's attention from their expected responsibilities, increasing the likelihood of an incident. Pedestrians are vulnerable road users, and while drivers have a responsibility to



yield in certain situations, they must also be able to trust that pedestrians are following the established traffic rules.

3. **Potential Increase in Incidents:** The assumption that a pedestrian can safely cross outside a crosswalk based on their judgment is problematic. Road conditions can change quickly—whether due to weather, roadwork, or unexpected vehicle speed—making it difficult for both pedestrians and drivers to assess the risk. A "safe" crossing could become dangerous, especially with distracted or impaired drivers.
4. **Impact on Vulnerable Populations:** This proposal may disproportionately affect vulnerable groups, such as the elderly or children, who may not have the quick reflexes or judgment needed to make safe crossing decisions outside of a crosswalk. Allowing more freedom for pedestrians in this regard could lead to increased injuries or fatalities, particularly among these groups.
5. **Inconsistent with Pedestrian Safety Principles:** The primary focus of traffic laws should always be on minimizing harm and enhancing safety for all road users. Crosswalks exist to create designated, safe places for pedestrians to cross. Encouraging or permitting pedestrians to cross outside these designated areas would undermine pedestrian safety principles that have been put in place to protect them.

Protecting our community—especially our keiki and kupuna—requires clear, enforceable guidelines that prioritize safety over convenience. I urge you to reconsider the potential dangers of this bill and uphold policies that promote pedestrian safety for everyone.

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/>



**Testimony for Hawai'i Appleseed Center for Law and Economic Justice
House Committee on Transportation (TRN)
March 18, 2025 at 10AM**

Dear Chair Kila, Vice Chair Grandinetti, and members of the TRN committee,
Mahalo for the opportunity to express **STRONG SUPPORT for SB106**, 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.

The number of jaywalking-related citations given in Hawai'i is significantly higher than other localities in the U.S. Based on the [Freedom to Walk Report](#), 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 records from minors.

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 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.¹ 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,

¹ 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.² Unfortunately, race and ethnicity data was 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 to employment and housing opportunities.

To address these issues, we should follow in the footsteps of other states such as Virginia and California, and cities such as Denver and Kansas City who have implemented similar legislation to reform jaywalking penalties. This national effort has led to about 60 million people living in the US where this reform has occurred.

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

² Kuntzman, Gersh. (2020). *'Jaywalking While Black': Final 2019 Numbers Show Race-Based NYPD Crackdown Continues*. StreetsBlog NYC. Available at <https://nyc.streetsblog.org/>.

March 18, 2025, 10 a.m.
Hawaii State Capitol
Conference Room 430 and Videoconference

To: House Committee on Transportation
Rep. Darius K. Kila, Chair
Rep. Tina Nakada Grandinetti, Vice Chair

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

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

Aloha Chair Kila, Vice-Chair Grandinetti and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer its **support** for [SB106 SD1](#), 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 safely after checking carefully that there are no cars coming.

However, we do have a concern regarding the language of the bill.

The language regarding a pedestrian's proximity to a crosswalk unnecessarily complicates the bill. As a practical matter, it is unreasonable to expect a pedestrian or a police officer to accurately estimate whether one is 200 feet from a crosswalk, as the bill proposes.

The 200-foot requirement is also too limiting as it fails to address unnecessary citations given when pedestrians are crossing safely at crosswalks.

The requirement that pedestrians act reasonably and safely, combined with the overall intent of the bill, should make the "200 feet" clause unnecessary. If it is reasonably safe to cross, it doesn't matter how far away

the crosswalk is. If it is not safe, then the crosswalk being more than 200 feet away doesn't transform the action into a reasonable one.

Thus, we suggest that the Committee strike the following language from the bill: “provided that the pedestrian is more than two hundred feet from a marked crosswalk.”

These changes would strengthen the bill and better protect the “right to walk.”

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 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%.¹ Moreover, jaywalking citations issued in Hawaii are highly concentrated at certain locations.² 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.³ 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, a study by the World Health Organization cited by Bloomberg the U.K. has about half as many pedestrian deaths per capita as the U.S., despite allowing pedestrians to cross where they please.⁴ And in Norway, the world leader in eliminating [pedestrian] traffic deaths, again “there is no rule against jaywalking.”⁵

¹ 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.

² [Ibid](#), pp. 8-9.

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

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

⁵ [Ibid](#).

Finally, decriminalizing jaywalking could encourage more people to walk by 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



Testimony of the Oahu Metropolitan Planning Organization

House Committee on Transportation

03/18/225 10:00AM

CR 430 & Videoconference

SB106 SD1

RELATING TO PEDESTRIANS

Dear Chair Kila, Vice Chair Grandinetti, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB106 SD1**, 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. The bill would also add language to the statewide traffic code that would require drivers to stop for pedestrians who are indicating their intention to cross the roadway.

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 system¹. 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 suit². In states where these measures have been implemented and relevant data is available, there has been no significant change in pedestrian fatalities³. In Hawaii, pedestrian fatalities continue to rise despite the enforcement of jaywalking laws⁴. In order to make Hawaii’s streets safer, transportation policy should shift effort away from pedestrian policing and instead focus

¹ https://oahumpo.org/?wpfb_dl=3273

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

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

⁴ <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 Plan⁵.

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 Oahu⁶. 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 network⁷. 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, 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.

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

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

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



HIPHI Board

May Okihiro, MD, MS
Chair

John A. Burns School of Medicine,
Department of Pediatrics

Titimaea Ta'ase, JD

Secretary

State of Hawai'i, Deputy Public Defender

Carissa Holley, MEd

Treasurer

Hale Makua Health Services

Debbie Erskine

ARCH-MEPS Consulting LLC, Owner

Camonia Graham - Tutt, PhD

University of Hawai'i - West O'ahu

Jennifer José Lo, MD

Hawai'i Health Partners

Misty Pacheco, DrPH

University of Hawai'i at Hilo

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: March 17, 2025

To: Representative Darius K Kila, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Members of the Committee on Transportation

RE: Support for SB 106 SD1, Relating to Pedestrians

Hrg: March 18, 2025, 10:00AM, Conference Room 430

Hawai'i Public Health Institute (HIPHI)¹ and the Healthy Eating + Active Living (HEAL)² Statewide Coalition are in **strong support of SB 106 SD1**, 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.

Suggested Amendment: Remove the provision 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. It will be difficult to enforce with accuracy. Should there be a desire to restrict the applicability of this bill, we recommend that the bill be amended to clarify that the measure is only applicable on roadways that are two lanes wide or smaller. We believe this is more practical and can be easily assessed by law enforcement and pedestrians.

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. 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.³ Studies show that people who walk or bicycle to

¹ 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.

² 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.

³ 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>.

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 Waikiki.

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.⁴ 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.⁵ 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 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.

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

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.⁶ 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 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.⁷
- **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.

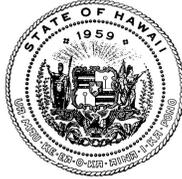


Lauren Loor
Healthy Eating + Active Living Statewide Program Manager

⁶ 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/>.

⁷ 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>

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, M.D., M.G.A, M.P.H
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

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
RELATING TO TRANSPORTATION**

SENATOR DARIUS K. KILA, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION

Hearing Date: March 18, 2025

Room Number: Conference Room
430

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 respectfully offers comments on the potential health impacts
4 of Senate Bill 106, Senate Draft 1 (S.B. 106, S.D. 1), which would allow pedestrians to cross a
5 street after reasonable determination that there is no immediate danger of a collision with a
6 moving vehicle if the pedestrian is more than 200 feet from a crosswalk. Requires a driver of a
7 vehicle to yield to a pedestrian when the pedestrian clearly indicates their intention to cross a
8 roadway within a crosswalk.

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

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

² 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 pedestrian roadway use is decriminalized, it can encourage municipalities to invest in safer
2 pedestrian infrastructure rather than rely on enforcement.

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

11 Pedestrian access to everyday destinations is also a social justice and healthy equity
12 issue.⁵ The term, “jaywalking,” first appeared as a derogatory term promoted in the United
13 States by the pro-automobile lobby,⁶ contributes to racially based police stops, which aligns
14 with the overrepresentation of people of color in the criminal justice system. Hawaii has a
15 history of disproportionately policing and incarcerating Native Hawaiians and Pacific Islanders
16 (NHPI), so decriminalizing jaywalking would address some of the racial injustices in our state. In
17 2019, NHPI were involved in over a one-third of police force incidents despite making up only
18 one-fourth of the population.⁷

19 Active transportation, including walking, biking, and rolling, provides everyday
20 opportunities for physical activity. Adequate built environment infrastructure is critical for
21 accessibility, connectivity to essential community destinations, and safety. Removing barriers
22 to equitable access and making up for historical underinvestment that has resulted in
23 inadequate walking, biking, and mobility infrastructure are important components to

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

⁴ CDC *About Physical Activity*. 2021.

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

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

⁷ 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 encourage active transportation. The DOH promotes evidence-based, equity-focused active
2 transportation policies that improve pedestrian and bicyclist safety infrastructure especially for
3 historically under-resourced communities.

4 Laws that criminalize pedestrians are ineffective at producing roadway safety results,
5 but also accentuate places which are hostile to walking. Removing pedestrian penalties has not
6 been found to increase adverse public safety outcomes. Initial data from localities where
7 decriminalization of pedestrians roadway crossings was implemented (Virginia, Kansas City,⁸
8 Denver and California⁹) show that there has been little to no change in the number of traffic
9 injuries and fatalities. In California, traffic fatalities decreased by 13% in 2024.¹⁰ In addition,
10 cities with the lowest traffic death rates (mainly in Europe) do not have “jaywalking” or
11 pedestrian road crossing laws.¹¹

12 **Offered Amendments:** None

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

⁸ 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>

⁹ 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/>

¹⁰ 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>

¹¹ 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>



HAWAII WORKERS CENTER

(503) WORKERS ☎

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

Defending and Respecting the workers of
Hawaii'i

hawaiiworkerscenter@gmail.com ✉
Mail: 2252 Puna St., Honolulu, HI 96817 ✉
hawaiiworkerscenter.org 🌐

March 17, 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 House of Representatives
COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

RE: SUPPORT for S.B. 106 SD 1 RELATING TO PEDESTRIANS.

Dear Chair Kila, Vice Chair Grandinetti, and Members of the Committee on Transportation:

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 SD 1** 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 SD 1 will encourage the development of pedestrian friendly communities that we espouse in a desired future.

Sincerely,

Sergio Alcubilla
Executive Director

SB-106-SD-1

Submitted on: 3/14/2025 8:30:59 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Murakami Akatsuka	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 106, SD 1, 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.

A pedestrian may mistakenly believe it is safe to cross the roadway against traffic signal indicators and believe they have the right-of-way; and unaware of possible turning vehicles into their pathway as well as oncoming cars trying to beat the red light with increased speed.

I have observed while driving that even with speed limits posted in town as well as in rural areas that there are cars that are driving 10-15 mph, sometimes 20 mph above the posted speed limits. Sudden avoidance or direct impact to the individual who crosses outside of a crosswalk or not following the traffic signal indicator would cause severe injury, disability or death to the individual and even to the car/truck driver and their passengers.

Improve and increase the location of crosswalks as well as accessible and safe sidewalks for pedestrians. Please defer SB 106, SD 1. This bill is a pandora box as it is written. Safety first for all residents and visitors.

Thank you for the opportunity to submit testimony in strong opposition of SB 106, SD 1.

SB-106-SD-1

Submitted on: 3/15/2025 11:15:36 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

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

SB-106-SD-1

Submitted on: 3/16/2025 1:53:08 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ed Ho	Individual	Oppose	Written Testimony Only

Comments:

The marijuana market has evolved and it is continuously proven to be less harmful than alcohol by a long shot.

The spill reflects old false ideas and is way too cumbersome complicated and later on expense.

The entire bill needs to be scrapped and start from scratch all over again and pattern the mainland states that are most successful because locally it's always a corrupt outcome and expensive to the consumer and where we are now at this day and age 20 years after legalization in many states is proof.

I opposed the bill.

Dear Chair Kila, Vice Chair Grandinetti, and members of the House Transportation 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 **support of SB 106 SD1 and offer recommendations to improve the 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.

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

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.¹ 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.² This pattern of disproportionate ticketing of Black people is also consistent in Seattle, New York, Sacramento, Florida, and Los Angeles.³ 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.⁴ This pattern may also reflect those ticketed for jaywalking.

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

²https://saferoutespartnership.org/sites/default/files/jaywalking_has_been_erased_from_kc-the_place_where_the_term_was_born_-_the_pitch_may_2021.pdf

³ IBID.

⁴ Prison Policy Initiative [Hawai'i Profile](#) 2010

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.⁵ 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).⁶

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.⁷ 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.⁸ 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

⁵ 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/>.

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

⁷ [State of Hawaii Traffic Fatalities](#)

⁸ [Proven Safety Countermeasures | FHWA \(dot.gov\)](#)

SB-106-SD-1

Submitted on: 3/16/2025 10:44:14 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

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

Comments:

Dear Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation,

My name is Molly Mamaril and I am from Kaimukī, O‘ahu. I am writing to urge the house transportation 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.

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

Mahalo for considering this measure.

Molly Mamaril

SB-106-SD-1

Submitted on: 3/17/2025 12:01:04 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nathan Dube	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation,

My name is Nathan Dube and I am an O‘ahu resident who both walks and drives in my community and across the island. I am writing in support of SB 106 SD1 and offer recommendations to improve the 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. This includes when

I’d like to ask the committee to 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.

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 and over policing of residents from low-income backgrounds and people who are part of Black and Brown communities.
- Jaywalking fines are more expensive than some other driving-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 significant legal consequences such as potential court appearances, wage garnishments, difficulty in obtaining government services, and negative impacts to employment and housing opportunities.
 - For lower-income residents these fines and penalties are disproportionately harsh and often lead to more disproportionate hardship as referenced in the examples above.
- 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.

Thank you for the opportunity to provide testimony.

Mahalo nui,

Nathan Dube

SB-106-SD-1

Submitted on: 3/17/2025 8:12:29 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sean Aronson	Individual	Support	Written Testimony Only

Comments:

My name is Sean Aronson and I live in Palolo Valley.

I urge the house transportation 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.

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

Mahalo for considering this measure.

Sean

SB-106-SD-1

Submitted on: 3/17/2025 8:44:26 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

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

Comments:

Dear Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation,

I strongly support SB106, which would allow pedestrians to cross the street outside of marked crosswalks, when it's safe to do so. I urge the house transportation committee to pass this bill. 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.

Thank you for your consideration of passing **SB106** and refocusing resources on measures that truly enhance public safety.

Patti Hatzistavrakis

Pahoa, Hawai'i

SB-106-SD-1

Submitted on: 3/17/2025 9:22:00 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Weissman	Individual	Support	Written Testimony Only

Comments:

It is time to revise our jaywalking laws to make them more reasonable and aim at the safety of pedestrians and not at filling our coffers.

I therefore wholeheartedly support SB106.

Mahalo,

Paul Weissman

SB-106-SD-1

Submitted on: 3/17/2025 9:56:06 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Menina	Individual	Support	Written Testimony Only

Comments:

Dear Chair Kila, Vice Chair Grandinetti, and Members of the House Committee on Transportation,

I appreciate the opportunity to submit testimony in **strong support** of SB106 SD1. This legislation would allow pedestrians to cross streets when it is safe to do so, while also requiring drivers to yield to those indicating their intent to cross.

Hawai‘i’s current jaywalking laws disproportionately penalize pedestrians, particularly in urban areas, without meaningfully improving safety. From 2018 to 2023, more than 30,000 jaywalking citations were issued statewide—far exceeding the rate of enforcement in other states. These penalties can create undue financial burdens, contribute to over-policing in marginalized communities, and fail to address the root causes of pedestrian fatalities.

Decriminalizing safe street crossings aligns with efforts already undertaken in states such as California and Virginia, where legislation passed decriminalizing jaywalking have improved pedestrian autonomy without negatively impacting public safety. In California for example, pedestrian deaths have declined by 13% in one year alone. Instead of punitive measures, the state's complimentary focus should be on infrastructure improvements, such as better crosswalk placement, pedestrian signal solutions such as rapid flashing beacons, and traffic calming solutions, to enhance both pedestrian and vehicular safety.

I respectfully urge the committee to pass SB106 SD1 and help make Hawai‘i’s streets safer and more accessible for all.

Mahalo for your time and consideration.

Justin Menina

RE: Support for SB106

Dear Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation,

My name is Leigh Ann Lopez and I am from the Punchbowl area. We urge the house transportation 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.

Let's pass SB106 and refocus resources on measures that truly enhance public safety. Mahalo for considering this measure.

Respectfully,
Leigh Ann Lopez

SB-106-SD-1

Submitted on: 3/17/2025 11:10:39 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Burt Furuta	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Kila, Vice Chair Grandinetti, and Members of the Transportation Committee.

I am writing in strong support of SB106. The current law on jaywalking is too broadly restrictive. SB 106 is a sensible bill which removes punishment of reasonable and safe pedestrian crossing outside of a crosswalk.

Thank you,

Burt Furuta

Honolulu

SB-106-SD-1

Submitted on: 3/17/2025 11:21:27 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Edgardo Diaz Vega	Individual	Support	Remotely Via Zoom

Comments:

I urge you to support this proposal that prohibits a law enforcement officer to detain, fine, or subject a pedestrian to any other penalty for crossing a roadway in a way that's contrary to the existing laws. As Hawai'i continues to struggle with deaths and injuries on the islands' roads, improvements in traffic enforcement are crucial. Using a vehicle weighing thousands of pounds which can be operated at high speeds, gives drivers a higher amount of power on our roads as well as a higher level of responsibility. Traffic enforcement must focus on the actions of drivers as these are disproportionately responsible for the damage, including loss of lives, on our roadways.

Laws criminalizing the reasonable actions of pedestrians and cyclists are ineffective, can be abused against vulnerable individuals, and fail to address the main issues with traffic safety which is the need to better enforce drivers' compliance with road safety laws. Approving this proposal helps ensure law enforcement focuses on the actions of those most responsible.

SB-106-SD-1

Submitted on: 3/17/2025 3:03:26 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Dukart	Individual	Support	Written Testimony Only

Comments:

Dear Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation,

My name is Scott Dukart and I am from Nuuanu. I urge the house transportation 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.

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

Mahalo for considering this measure.

Scott Dukart

SB-106-SD-1

Submitted on: 3/17/2025 3:14:36 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

This is a bad bill, I oppose it!

SB-106-SD-1

Submitted on: 3/17/2025 3:45:06 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Louella Vidinha	Individual	Oppose	Written Testimony Only

Comments:

Opposition to this bill.

The driver should not be held responsible when the pedestrian decides to cross near a cross walk. And the driver with reasonable precautions can't avoid hitting the pedestrian, due to unforeseen circumstances.

Louella Vidinha

Hawaii resident

SB-106-SD-1

Submitted on: 3/17/2025 5:35:55 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Chanara Caey Richmond	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB106. It is subjective and relies on he said/she said testimony. Could be used to entrap people. Insurance scams. FACT: It will do NOTHING to stop the crazy people who want commit murder by running people over with a thier car. Chanara Richmond HD42

SB-106-SD-1

Submitted on: 3/17/2025 6:54:22 PM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Wilson	Individual	Support	Written Testimony Only

Comments:

I support this measure. I think there should be no such thing as j-walking. I believe strongly in personal liberty on this issue and it seems like a good first step.

SB-106-SD-1

Submitted on: 3/18/2025 12:17:18 AM

Testimony for TRN on 3/18/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patty Takahashi	Individual	Oppose	Written Testimony Only

Comments:

Oppose

common sense is needed for orderly manner. Why confuse people when a cross walk is made for that purpose!!! SAFETY PURPOSES!!!

Allowing Random walking on roads will increase pedestrian fatalities, people are already hit in cross walks and another reason for car insurance to go up.
STAY IN THE CROSS WALK!!!