
A BILL FOR AN ACT

RELATING TO SIDEWALKS.

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

1 SECTION 1. Section 711-1105, Hawaii Revised Statutes, is
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) A person commits the offense of obstructing if,
4 whether alone or with others and having no legal privilege to do
5 so, the person knowingly or recklessly [~~obstructs~~]:

6 (a) Obstructs any highway or public passage[~~, whether~~
7 ~~alone or with others.~~]; or

8 (b) Provides less than thirty-six inches of space for
9 passage on any paved public sidewalk.

10 (2) A person in a gathering commits the offense of
11 obstructing if the person refuses to obey a reasonable request
12 or order by a law enforcement officer [~~to move~~]:

13 (a) To move to prevent [~~obstruction of a highway or other~~
14 ~~public passage,~~] or to cease any activity prohibited
15 under subsection (1); or

16 (b) To move to maintain public safety by dispersing those
17 gathered in dangerous proximity to a public hazard."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Obstruction of Public Passage; Sidewalks

Description:

Specifies that the offense of obstructing includes, in addition to obstructing a highway or public passage, providing less than thirty-six inches of space for passage on any paved public sidewalk, except as authorized by law, or failing to obey a law enforcement officer's order or request to cease any of the foregoing activities. (SD1)

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