
A BILL FOR AN ACT

RELATING TO HIGHWAY HAZARD EVALUATION DATA.

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

1 SECTION 1. Chapter 264, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§264- Discovery and admission as evidence of highway
5 hazard evaluation data. (a) Notwithstanding any other
6 provision of law, the following shall not be subject to
7 discovery or admitted into evidence in a federal or state court
8 proceeding or considered for other purposes in any action for
9 damages arising from any occurrence at a location mentioned or
10 addressed in the highway hazard evaluation data:

11 (1) Highway hazard evaluation analysis, including reports,
12 surveys, schedules, lists, or data that are compiled
13 or collected for the purpose of identifying,
14 evaluating, or planning the safety enhancement of
15 potential accident sites, hazardous roadway
16 conditions, or railway-highway crossings, pursuant to
17 Title 23 United States Code sections 130, 144, and
18 152, or for the purpose of developing any highway



1 safety construction improvement project that may be
2 implemented using federal-aid highway funds; and

3 (2) Motor vehicle accident reports completed and
4 maintained by the police departments of the various
5 counties when such reports are compiled or collected
6 for the purpose of evaluating highway hazards.

7 (b) The prohibition against discovery or admission shall
8 apply whether the motor vehicle accident reports are sought from
9 the various counties or from the State.

10 (c) This section shall not prohibit the discovery or
11 admission of a motor vehicle accident report about the accident
12 that is the subject of the action for damages.

13 (d) Nothing in this section shall be construed to prevent
14 the release of information under chapter 92F."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Highway Hazard Evaluation Data

Description:

Prohibits discovery of safety hazard analysis. Clarifies that the motor vehicle accident reports completed by the police of the various counties are included in the prohibition against discovery. (SD1)

