
A BILL FOR AN ACT

RELATING TO STATEWIDE TRAFFIC CODE.

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

1 SECTION 1. In 2005, speeding-related fatalities accounted
2 for nearly half of all the traffic fatalities in Hawaii. In
3 November 2006, Honolulu police initiated a sweeping crackdown on
4 dangerous drivers in a campaign to reduce the number of
5 speeding-related accidents and fatalities. During the first
6 three weeks of the crackdown, Honolulu police issued 2,696
7 speeding citations and four hundred sixty-three warnings to
8 motorists. Typically, the Honolulu police issue an average of
9 three thousand speeding citations each month.

10 The legislature finds that speeding is especially dangerous
11 in construction areas, where workers are performing challenging
12 tasks on or adjacent to the road. Speed was believed to be a
13 factor in the recent death of one construction worker and the
14 critical injury of another who were struck by a van on Fort
15 Weaver Road in Ewa Beach in August 2007.

16 The purpose of this Act is to reduce the exposure of public
17 and private construction and maintenance workers to traffic



1 related injuries and encourage motorists to adhere to the speed
2 limits posted in construction areas.

3 SECTION 2. Section 291C-104, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§291C-104 Speeding in a school zone or construction area.**

6 (a) No person shall drive a motor vehicle at a speed greater
7 than the maximum speed limit established pursuant to subsection
8 ~~[(b)]~~ (d) within a school zone ~~[or a construction area]~~. Any
9 person who violates this subsection shall be fined \$250;
10 provided that if the person drives a motor vehicle in a school
11 zone at a speed greater than thirty miles an hour or more over
12 the maximum speed limit established in subsection ~~[(b)]~~ (d), or
13 over eighty miles per hour or more ~~[in a school zone or a~~
14 ~~construction zone]~~, the provisions of section 291C-105 shall
15 control. ~~[Appropriate law]~~

16 (b) No person shall drive a motor vehicle within a
17 construction area at a speed greater than the maximum speed
18 limit established pursuant to subsection (d). Any person who
19 violates this subsection shall be assessed a fine equal to
20 double the amount prescribed by law for the same offense outside
21 of a construction zone or \$250, whichever is greater.



1 (c) Law enforcement personnel [~~may~~] shall enforce the
2 maximum speed limits established for school zones and
3 construction areas.

4 [~~(b)~~] (d) Section 291C-102 notwithstanding, the director
5 of transportation and the counties, in their respective
6 jurisdictions, shall [~~establish~~]:

7 (1) Establish maximum speed limits for school zones and
8 construction areas; and [~~shall require~~]

9 (2) Require the owner, general contractor, or other person
10 responsible for construction to provide [~~proper~~] and
11 post official signs in construction areas.

12 (e) The director of transportation shall [~~place~~] post
13 official signs in school zones.

14 (f) Signs posted pursuant to this [~~subsection~~] section
15 shall be plainly visible at all times under ordinary traffic
16 conditions. Construction area speed limits shall be posted on
17 the department of transportation's standard size speed limit
18 signs at least one hundred feet in advance of the entrance to a
19 construction area. Construction area signs shall warn of the
20 doubled fines for speeding within a construction area.

21 [~~(c)~~] ~~Any person who violates this section shall be fined~~
22 ~~\$250.~~



1 ~~(d)~~ (g) For purposes of this section:

2 "Construction area" includes any area in which there is
3 occurring the installation, construction, or demolition of
4 connections for streets, roads, driveways, concrete curbs and
5 sidewalks, structures, drainage systems, landscaping, or grading
6 within the highway rights-of-way, including aboveground and
7 underground utility work, excavation and backfilling of trenches
8 or other openings in state highways, the restoration,
9 replacement, or repair of the base course, pavement surfaces,
10 highway structures, or any other highway improvements.

11 "School zone" means every street and all public property in
12 the vicinity of a school as designated by the department of
13 transportation and the counties, in their respective
14 jurisdictions.

15 ~~(e)~~ (h) The director shall adopt rules pursuant to
16 chapter 91 as may be necessary to implement this section."

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

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: *[Signature]*

[Signature]
[Signature]

Kirk Caldwell

JAN 15 2008



Report Title:

Speeding; Construction Area

Description:

Increases the fine for speeding in a construction area to double the amount prescribed by law for the same offense outside of a construction area or \$250, whichever is greater.

