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## A BILL FOR AN ACT

RELATING TO PUBLIC HIGHWAYS.

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

1           SECTION 1. Section 264-101, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§264-101 Vending from highways prohibited.** (a) No  
4 person shall park or place a vehicle or structure wholly or  
5 partly on any highway for the purpose of selling the vehicle or  
6 structure or of selling therefrom or therein any article,  
7 service, or thing, thereby creating a hazardous condition or a  
8 public nuisance or in reckless disregard of the risk of creating  
9 a hazardous condition or public nuisance. The department of  
10 transportation may remove or require the immediate removal of  
11 the vehicle or structure from the highway.

12           (b) No person shall sell or offer for sale on any highway  
13 any article, service, or thing, thereby creating a hazardous  
14 condition or a public nuisance or in reckless disregard of the  
15 risk of creating a hazardous condition or public nuisance.

16           ~~[(b)]~~ (c) For the purposes of this section, "highway"  
17 means the entire width, including ~~[the]~~ any berm, ~~[or]~~ shoulder,  
18 scenic lookout as defined by section 291-1, pull-off, or



1 turnaround, of any road, alley, street, way, right of way, lane,  
2 trail, highway, or bridge of a public highway as defined in  
3 section 264-1."

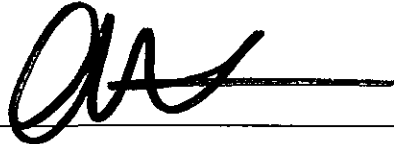
4 SECTION 2. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun before its effective date.

7 SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



*Mele Carroll*



JAN 20 2010



**Report Title:**

Public Highways; Vending

**Description:**

Prohibits vending on any scenic lookout, pull-off, or turnaround area of a public highway.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

