

JAN 23 2009

A BILL FOR AN ACT

RELATING TO STATEWIDE TRAFFIC CODE.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291C- Passing emergency vehicle. (a) On approaching
5 a stationary emergency vehicle that is using visual signals and
6 rendering assistance to another vehicle or person, a driver who
7 is passing the emergency vehicle, unless otherwise directed by a
8 police officer or person of authority, shall:

9 (1) Vacate the lane closest to the emergency vehicle when
10 driving on a highway with two or more lanes traveling
11 in the direction of the emergency vehicle; or

12 (2) Slow to a speed not to exceed:

13 (A) Twenty miles per hour less than the posted speed
14 limit when the posted speed limit is twenty miles
15 per hour or more; or

16 (B) Five miles per hour when the posted speed limit
17 is less than twenty five miles per hour.



1 (b) A violation of this section is a misdemeanor
 2 punishable under section 706-640. If conduct constituting a
 3 violation of this section also constitutes a violation of
 4 another provision of law, including the penal code, the driver
 5 may be prosecuted under either or both laws.

6 (c) For the purposes of this section,
 7 "Emergency vehicle" means a police or fire department
 8 vehicle, ambulance, or any other vehicle rendering assistance to
 9 another vehicle or person, including a tow truck.

10 "Visual signals" means flashing vehicle emergency lights or
 11 any other reasonable means of warning passing vehicles."

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

15 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Emergency Vehicle; Move Over

Description:

Requires motorists to "move over" when passing a stationary emergency vehicle on a highway.

