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## A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

**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-           Failure to yield right-of-way to mass transit  
5 vehicle; penalty. (a) A person commits the offense of failure  
6 to yield the right-of-way to a mass transit vehicle entering  
7 traffic if the person does not yield the right-of-way to a mass  
8 transit vehicle when:

- 9           (1) A yield sign as described in subsection (b) is  
10           displayed on the back of the mass transit vehicle;  
11           (2) The person is operating a vehicle that is overtaking  
12           the mass transit vehicle from the rear of the vehicle;  
13           and  
14           (3) The mass transit vehicle, after stopping to receive or  
15           discharge passengers, is signaling an intention to  
16           enter the traffic lane occupied by the person.

17           (b) If a yield sign is displayed on a mass transit  
18 vehicle, it shall warn a person operating a motor vehicle



1 approaching the rear of a mass transit vehicle that the person  
2 must yield when the vehicle is entering traffic. The yield sign  
3 shall be illuminated by a flashing light when the vehicle is  
4 signaling an intention to enter a traffic lane after stopping  
5 for the purpose of receiving or discharging passengers. The  
6 department of transportation shall adopt rules pursuant to  
7 chapter 91 to determine the message on the yield sign;  
8 specifications for the size, shape, color, lettering, and  
9 illumination of the sign; and specifications for the placement  
10 of the sign on a mass transit vehicle.

11 (c) This section shall not relieve a driver of a mass  
12 transit vehicle from the duty to drive with due regard for the  
13 safety of all persons using the roadway.

14 (d) For the purpose of this section, "mass transit  
15 vehicle" has the same meaning as defined in section 291-11.6.

16 (e) Any person who violates this section shall be fined  
17 not more than \$ \_\_\_\_\_ or sentenced to perform community  
18 service, or both."

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

22 SECTION 3. New statutory material is underscored.



# H.B. NO. 489

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

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INTRODUCED BY: Mailep B. Lee

Raymond L. ...

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JAN 21 2011

**Report Title:**

Mass Transit Vehicle Right of Way; Violation; Penalty

**Description:**

Establishes the offense of failure to yield right-of-way to mass transit vehicles.

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

