
A BILL FOR AN ACT

RELATING TO THE 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 an emergency vehicle. (a) On
5 approaching a stationary emergency vehicle that is using visual
6 signals and rendering assistance to another person or vehicle,
7 including stalled vehicles or vehicles involved in a motor
8 vehicle collision, a driver who is passing the emergency
9 vehicle, unless otherwise directed by a police officer or person
10 of authority, shall:

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

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

15 (A) Twenty miles per hour less than the posted speed
16 limit when the posted speed limit is twenty-five
17 miles per hour or more; or



1 (B) Five miles per hour when the posted speed limit
2 is less than twenty-five miles per hour.

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

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

12 "Visual signals" means flashing vehicle emergency lights or
13 any other reasonable visual means of warning passing vehicles."

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

17 SECTION 3. New statutory material is underscored.

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

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Report Title:

Emergency Vehicles; Traffic Safety; Passing

Description:

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

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