
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. This Act is dedicated to the memory of Officers
2 Garret Davis and Eric Fontes of the Honolulu Police Department.

3 SECTION 2. Section 291C-128, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§291C-128[+] Following or passing emergency vehicle

6 ~~[prohibited]~~. (a) The driver of any vehicle other than one on
7 official business shall not follow any emergency vehicle
8 traveling in response to an emergency closer than five hundred
9 feet or drive or park ~~[such]~~ the vehicle within five hundred
10 feet of where the emergency vehicle has stopped in answer to a
11 fire alarm~~[-]~~ or other emergency.

12 (b) When approaching a stationary emergency vehicle that
13 has its visual signals activated, a driver who is passing the
14 stationary emergency vehicle, unless otherwise directed by a
15 police officer or person of authority, shall:

16 (1) Vacate the lane directly next to the stationary
17 emergency vehicle, when driving on a highway with two
18 or more lanes and traveling in the direction of the



1 stationary emergency vehicle, and continue to travel
2 in that lane until at least five hundred feet beyond
3 the stationary emergency vehicle; provided that the
4 driver is able to execute the lane change safely
5 before reaching the stationary emergency vehicle and
6 without causing an unsafe traffic condition; or

7 (2) Slow to a safe and appropriate speed when driving on a
8 highway traveling in the direction of the stationary
9 emergency vehicle, and continue to drive at a speed no
10 greater than is reasonable and prudent, given the
11 actual and potential hazards and conditions then
12 existing, until at least five hundred feet beyond the
13 stationary emergency vehicle.

14 Any person who violates this subsection shall be guilty of
15 a petty misdemeanor.

16 As used in this subsection, "emergency vehicle" means a
17 police or fire department vehicle, ambulance, or a tow truck."

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



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on January 7, 2059.



Report Title:

Emergency Vehicles; Traffic Safety; Passing; Vacate Lane; Reduce Speed

Description:

Requires motorists when passing a stationary authorized emergency vehicle with its visual signals activated on a highway to vacate the lane directly next to the stationary authorized emergency vehicle or reduce driving speed until clear by a specified distance of the stationary authorized emergency vehicle. Effective January 7, 2059. (HB2030 HD2)

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