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# A BILL FOR AN ACT

RELATING TO HIGHWAY TRAFFIC.

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

1           SECTION 1. Section 291C-128, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " ~~[+]§291C-128[+]~~ Following or passing stationary emergency  
4 vehicle [prohibited]. (a) The driver of any vehicle other than  
5 one on official business shall not follow any emergency vehicle  
6 traveling in response to an emergency closer than five hundred  
7 feet or drive or park such vehicle within five hundred feet of  
8 where the emergency vehicle has stopped in answer to a fire  
9 alarm.

10           (b) On approaching a stationary emergency vehicle using  
11 visual signals, a driver who is passing the stationary emergency  
12 vehicle, unless otherwise directed by a police officer or person  
13 of authority, shall:

14           (1) Vacate the lane closest to the stationary emergency  
15 vehicle when driving on a highway with two or more  
16 lanes traveling in the direction of the stationary  
17 emergency vehicle and continue traveling in that lane  
18 until safely clear of the stationary emergency



1           vehicle; provided that before reaching the stationary  
2           emergency vehicle the driver may change lanes safely  
3           and without interfering with any vehicular traffic; or

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

5           (A) Twenty miles per hour less than the posted speed  
6           limit when the posted speed limit is twenty-five  
7           miles per hour or more; provided that before  
8           reaching the stationary emergency vehicle the  
9           driver may reduce the speed of the vehicle safely  
10           and without interfering with any vehicular  
11           traffic; or

12           (B) Five miles per hour when the posted speed limit  
13           is less than twenty-five miles per hour; provided  
14           that before reaching the stationary emergency  
15           vehicle the driver may reduce the speed of the  
16           vehicle safely and without interfering with any  
17           vehicular traffic.

18           Any person who violates this subsection shall be guilty of  
19           a petty misdemeanor.

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

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

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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

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# H.B. NO. 2070

**Report Title:**

Emergency Vehicle; Passing; Vacate Lane; Reduce Speed

**Description:**

Requires motorists when passing a stationary authorized emergency vehicle on a highway to vacate the lane closest to the stationary authorized emergency vehicle or reduce driving speed until safely clear of the stationary authorized emergency vehicle.

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