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# A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

1           SECTION 1. Section 291C-123, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§291C-123 Driving or parking upon bikeway; parking**  
4 **penalty.** (a) No person shall drive any vehicle other than a  
5 bicycle [~~or moped~~] upon a bicycle lane or bicycle path, except  
6 upon a permanent or authorized temporary driveway, or park any  
7 vehicle upon a bicycle lane or bicycle path; provided that any  
8 vehicle may be driven or parked in a bicycle lane or bicycle  
9 path as applicable if:

10           (1) It is in the process of executing a legal turn, lane  
11 change, or parking maneuver;

12           (2) It is an authorized emergency vehicle performing the  
13 functions under section 291C-26;

14           (3) It is an official federal, state, or county vehicle in  
15 the performance of its actual duty;

16           (4) It is a stalled or broken vehicle;

17           (5) It is necessary to assist a stalled or broken vehicle;



1 (6) It is necessary to yield to an authorized emergency  
2 vehicle pursuant to section 291C-65; or

3 (7) It is otherwise provided by law."

4 (b) Any person violating the [~~parking prohibition in~~  
5 ~~subsection (a)] prohibitions in this section shall be fined not  
6 more than \$500."~~

7 SECTION 2. Section 291C-145, Hawaii Revised Statutes, is  
8 amended by amending subsection (f) to read as follows:

9 "(f) The director of transportation by rule and the  
10 counties by ordinance may with respect to bikeways under their  
11 respective jurisdictions restrict or prohibit the use of such  
12 bikeways by mopeds[-]; provided that any such restriction or  
13 prohibition complies with the requirements of section 291C-197."

14 SECTION 3. Section 291C-197, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§291C-197 Driving mopeds on bicycle lanes and paths[-];**  
17 **prohibited.** (a) [~~Wherever bicycle lanes are provided on the~~  
18 ~~roadway, moped drivers shall use such bicycle lanes.] No moped  
19 driver shall operate a moped on a bicycle lane or use a bicycle  
20 path.~~

21 (b) The director of transportation by rule and the  
22 counties by ordinance [~~may~~] shall with respect to bicycle paths



1 and bicycle lanes under their respective jurisdictions [~~restrict~~  
2 ~~or~~] prohibit the use of such bicycle paths or bicycle lanes by  
3 mopeds. Signs clearly visible to an ordinarily observant person  
4 indicating the [~~restriction or~~] prohibition shall be placed  
5 along bicycle paths and bicycle lanes so designated and every  
6 moped driver shall obey the directions thereof.

7 [~~(c) This section shall not apply to a three wheeled~~  
8 ~~moped.~~] "

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Traffic Safety; Bicycle Path; Mopeds

**Description:**

Prohibits the use of mopeds on bicycle lanes and bicycle paths.  
(HB2760 HD1)

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

