
A BILL FOR AN ACT

RELATING TO HIGHWAYS.

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

1 SECTION 1. Section 264-101, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§264-101 Vending from highways prohibited.** (a) No person
4 shall occupy any highway, or park or place a vehicle or
5 structure wholly or partly on any highway for the purpose of
6 selling the vehicle or structure or of selling [therefrom or
7 ~~therein any article, service, or thing, thereby creating a~~
8 ~~hazardous condition or a public nuisance or in reckless~~
9 ~~disregard of the risk of creating a hazardous condition or~~
10 ~~public nuisance.] any product, service, merchandise, food, or~~
11 solicitation. The department of transportation may remove or
12 require the immediate removal of the vehicle, product, service,
13 merchandise, food, solicitation, or structure from the highway.

14 (b) The director of transportation, in the case of state
15 highways, may, upon application in writing, issue a written
16 permit, subject to any terms and conditions imposed by the
17 director, authorizing the applicant to vend in the airspace, as
18 that term is defined in title 23, Code of Federal Regulations



1 section 710.105, as amended, of the State's interstate highway
2 system.

3 [~~(b)~~] (c) For the purposes of this section, "highway"
4 means the entire width, including the berm or shoulder of a
5 public highway as defined in section 264-1."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2020.



Report Title:

Vending; Highways; Prohibited Activities; Permits

Description:

Specifies the types of vending activities that are prohibited on State highways and authorizes the Director of Transportation to make exceptions for vending in the highway airspace. Effective July 1, 2020. (HB978 HD1)

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

