
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
4 person 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) In the case of state highways, the director of
15 transportation 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 Statutory material to be repealed is bracketed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 upon its approval.



Report Title:

Vending from Highways; Airspace

Description:

Specifies the types of vending activities that are prohibited on state highways. Authorizes the Director of Transportation, upon application, to issue a written permit authorizing the applicant to vend in the airspace of a highway. (SB1209 HD1)

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