

JAN 18 2013

---

---

# A BILL FOR AN ACT

RELATING TO BICYCLE SAFETY.

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

1           SECTION 1. Section 291C-148, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§291C-148 Driving upon sidewalk.** (a) Except as provided  
4 in subsection (b), no person shall [~~drive~~] operate any vehicle  
5 upon a sidewalk or sidewalk area except upon a permanent or  
6 authorized temporary driveway.

7           (b) Unless otherwise prohibited, a bicycle may be [~~driven~~]  
8 operated at a speed of ten miles per hour or less on a sidewalk  
9 or sidewalk area; provided that the [~~driver~~] operator of the  
10 bicycle shall yield the right-of-way to any pedestrian and that  
11 bicycle riding shall be prohibited on sidewalks in business  
12 districts.

13           (c) The operator of a bicycle shall provide an audible  
14 warning by bell, horn, or other sound emitting mechanism, when  
15 approaching and overtaking a pedestrian, whether from the front  
16 of or from behind the pedestrian, on a sidewalk or sidewalk  
17 area.



1            [~~e~~] (d) This section shall not be construed as  
2 preempting the authority of the director of [transportation's or  
3 counties' authority] transportation or the counties to control  
4 parking on sidewalks under section 291C-114. Nor shall this  
5 section be construed as prohibiting the director or a county  
6 from authorizing parking on sidewalks when the authorization is  
7 [~~promulgated~~] adopted in accordance with section 291C-114."

8            SECTION 2. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10           SECTION 3. This Act shall take effect upon its approval.

11

INTRODUCED BY: *Fuzanne Chun Qalilad*



**Report Title:**

Bicycle Safety; Sidewalks; Pedestrians; Warning Sound

**Description:**

Requires the operator of a bicycle to provide an audible warning by bell, horn, or other sound emitting mechanism when approaching and overtaking a pedestrian on a sidewalk or sidewalk area.

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

