

JAN 17 2014

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# A BILL FOR AN ACT

RELATING TO ILLEGAL PARKING UPON BIKEWAYS.

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

1           SECTION 1. Pursuant to section 291C-123(a), Hawaii Revised  
2 Statutes, subject to enumerated exceptions, "no person shall  
3 drive any vehicle other than a bicycle or moped upon a bicycle  
4 lane or bicycle path, except upon a permanent or authorized  
5 temporary driveway, or park any vehicle upon a bicycle lane or  
6 bicycle path." Illegal driving or more frequently, parking upon  
7 bicycle lanes and bicycle paths, is a persistent problem in the  
8 State. While the maximum fine under section 291C-3(b) is \$500  
9 for any vehicle that drives or parks on a bicycle lane or  
10 pathway that is not within one of the enumerated exceptions, the  
11 minimum fine of \$35 is usually ticketed by an enforcing officer.  
12 This \$35 minimum fine is typically paid by the offending  
13 individual via return mail and a higher fine is rarely imposed  
14 by a court of law for any repeat offenses.

15           As the counties move towards greater implementation of a  
16 robust network of bicycle lanes and bicycle paths, with a  
17 greater emphasis on alternative forms of travel, the current  
18 minimum fine of \$35 for driving or parking upon bicycle lanes



1 and bicycle paths has proven insufficient to deter motorists  
 2 from obstructing bicycle lanes and bicycle paths. Obstruction  
 3 of bicycle lanes and bicycle paths by motorists is a real and  
 4 present danger and poses a safety hazard to bicyclists and to  
 5 neighborhoods. Accordingly, the purpose of this act is to deter  
 6 illegal parking upon bicycle lanes and bicycle paths by  
 7 increasing the minimum fine for those respective offenses.

8 SECTION 2. Section 291C-123, Hawaii Revised Statutes, is  
 9 amended by amending subsection (b) to read as follows:

10 "(b) Any person violating the parking prohibition in  
 11 subsection (a) shall be fined not less than \$100 but not more  
 12 than \$500."

13 SECTION 3. New statutory material is underscored.

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

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# S.B. NO. 2132

**Report Title:**

Parking a Vehicle on a Bicycle Lane or Pathway; Minimum Fine

**Description:**

Sets a minimum fine of \$100 for driving or parking a vehicle on a bicycle lane or pathway.

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

