
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-123(b), Hawaii
9 Revised Statutes, is \$500 for any vehicle that drives or parks
10 on a bicycle lane or pathway that is not within one of the
11 enumerated exceptions, the minimum fine of \$35 is usually
12 ticketed by an enforcing officer. This \$35 minimum fine is
13 typically paid by the offending individual via return mail, and
14 a higher fine is rarely imposed by a court of law for any repeat
15 offenses.

16 As the counties move towards greater implementation of a
17 robust network of bicycle lanes and bicycle paths, with a
18 greater emphasis on alternative forms of travel, the current



1 minimum fine of \$35 for driving or parking upon bicycle lanes
2 and bicycle paths has proven insufficient to deter motorists
3 from obstructing bicycle lanes and bicycle paths. Obstruction
4 of bicycle lanes and bicycle paths by motorists is a real and
5 present danger and poses a safety hazard to bicyclists and to
6 neighborhoods. Accordingly, the purpose of this act is to deter
7 illegal parking upon bicycle lanes and bicycle paths by
8 increasing the minimum fine for those respective offenses.

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

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

14 SECTION 3. New statutory material is underscored.

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



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 bicycle pathway. (SD1)

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