
A BILL FOR AN ACT

RELATING TO SPEEDING IN A SCHOOL ZONE OR CONSTRUCTION AREA.

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

1 SECTION 1. The legislature finds that, in an attempt to
2 reduce the cost of construction projects, the department of
3 transportation has adopted the practice of posting reduced speed
4 signs for the duration of a project, including during times
5 when, and in areas where, construction work is not actively
6 occurring. This practice has been employed without considering
7 the regular flow of motor vehicle traffic in non-affected areas
8 of the construction project and has caused periods of
9 unnecessary traffic congestion.

10 The purpose of this Act is to require that reduced speed
11 limits in construction areas be imposed only when and where the
12 reduced speed limits are necessary.

13 SECTION 2. Section 291C-104, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§291C-104 Speeding in a school zone or construction area.**

16 (a) No person shall drive a motor vehicle at a speed greater
17 than the maximum speed limit established pursuant to ~~[subsection~~



1 ~~(b)~~ this section within a school zone or a construction area;
2 provided that if the person drives a motor vehicle at a speed
3 greater than thirty miles an hour or more over the maximum speed
4 limit established in ~~[subsection (b) 7]~~ this section, or over
5 eighty miles per hour or more in a school zone or a construction
6 ~~[zone,]~~ area, the provisions of section 291C-105 shall control.
7 Appropriate law enforcement personnel may enforce the maximum
8 speed limits established for school zones and construction
9 areas.

10 (b) Section 291C-102 notwithstanding, the director of
11 transportation and the counties, in their respective
12 jurisdictions, shall establish maximum speed limits for school
13 zones and construction areas and shall require the owner,
14 general contractor, or other person responsible for construction
15 to provide proper signs in construction areas. The director of
16 transportation shall place official signs in school zones.

17 Signs establishing a maximum speed limit posted pursuant to
18 this ~~[subsection]~~ section shall be plainly visible at all times
19 under ordinary traffic conditions.



1 (c) To minimize interference with the flow of vehicular
2 traffic, the posting of construction area speed limit signs
3 shall be limited to construction areas:

- 4 (1) Where reduction of the maximum speed limit is of major
5 importance and necessary for safety;
- 6 (2) During times and locations of active construction; and
- 7 (3) When the reduced maximum speed limit is subject to
8 enforcement by a law enforcement officer.

9 (d) The restriction on the use of construction area speed
10 limit signs in subsection (c) does not apply to instances in
11 which a contractor has:

- 12 (1) Moved all construction area speed limit signs to the
13 edge of the right-of-way and faced them away from the
14 view of motor vehicle operators; or
- 15 (2) Covered or obstructed all the construction area speed
16 limit signs so they are not visible to motor vehicle
17 operators.

18 [~~e~~] (e) Any person who violates this section shall be
19 fined \$250, may be charged with a surcharge of up to \$100 to be
20 deposited into the trauma system special fund, and, where the
21 violation involves speeding in a school zone, shall be charged



1 with a surcharge of \$25 to be deposited into the safe routes to
2 school program special fund.

3 [~~(d)~~] (f) For purposes of this section:

4 "Construction area" includes any area in which there is
5 occurring the installation, construction, or demolition of
6 connections for streets, roads, driveways, concrete curbs and
7 sidewalks, structures, drainage systems, landscaping, or grading
8 within the highway rights-of-way, including aboveground and
9 underground utility work, excavation and backfilling of trenches
10 or other openings in state highways, the restoration,
11 replacement, or repair of the base course, pavement surfaces,
12 highway structures, or any other highway improvements.

13 "Construction area speed limit sign" means a sign at a
14 construction area reducing the maximum speed limit.

15 "School zone" means every street and all public property in
16 the vicinity of a school as designated by the department of
17 transportation and the counties, in their respective
18 jurisdictions.

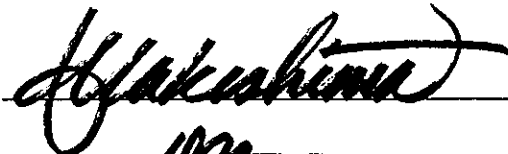

19 [~~(e)~~] (g) The director shall adopt rules pursuant to
20 chapter 91 as may be necessary to implement this section."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY: 


JAN 29 2015



H.B. NO. 1429

Report Title:

Speed Limited; Construction Area

Description:

Requires that reduced maximum speed limits in construction areas only be implemented when and where altered speed limits are necessary.

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

