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## A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to part V to be appropriately  
3 designated and to read as follows:

4           "§291C-       Heavy trucks; left lane; interstate highways;

5 prohibition. (a) A heavy truck shall be prohibited from  
6 driving in the left-most lane of an interstate highway.

7           (b) Notwithstanding subsection (a), when a lane other than  
8 the left-most lane of an interstate highway is closed by law  
9 enforcement officers or emergency services personnel because of  
10 a traffic incident, a traffic accident, or an emergency road  
11 situation, a heavy truck shall be allowed to drive in the left  
12 most-lane.

13           (c) The director of transportation shall have the  
14 authority to declare an emergency to allow the use of the left-  
15 most lane of an interstate highway to heavy trucks.

16           (d) For the purposes of this section:



# H.B. NO. 761

1        "Heavy truck" means any motor vehicle having a gross  
 2 vehicle weight of 10,000 pounds or more that is designated or  
 3 used primarily for the carriage of property other than the  
 4 personal effects of the driver or passengers and shall include a  
 5 motor vehicle to which has been added a box, platform, or other  
 6 equipment for such carriage. A heavy truck does not include an  
 7 emergency vehicle or mass transit vehicle as defined in section  
 8 291-11.6.

9        "Interstate highway" means any highway that is part of the  
 10 Dwight D. Eisenhower National System of Interstate and Defense  
 11 Highways."

12        SECTION 2. New statutory material is underscored.

13        SECTION 3. This Act does not affect rights and duties that  
 14 matured, penalties that were incurred, and proceedings that were  
 15 begun before its effective date.

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

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INTRODUCED BY:

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*[Handwritten signature]*

JAN 26 2015



# H.B. NO. 761

**Report Title:**

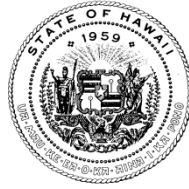
Heavy Trucks; Driving Left-Most Lane; Prohibition

**Description:**

Prohibits heavy trucks from driving in the left-most lane of an interstate freeway except under certain conditions.

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





**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 11, 2015  
10:00 a.m.  
State Capitol, Room 309

**H.B. 761**  
**RELATING TO TRANSPORTATION**

House Committee on Transportation

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The Department of Transportation (DOT) **supports intent** of H.B. 761 to prohibit trucks from using the left-most lane of an interstate highway. Although H.B. 761 has the potential to improve traffic flow and increase safety, the DOT has the following concerns on a blanket lane use restriction:

1. H.B. 761 is not necessary as Section 291C-49(3) H.R.S. already provides the authority necessary to restrict lane use through official signing;
2. Although this kind of restriction has been utilized on various modern interstates in a few jurisdictions, implementing this restriction on Oahu's interstates is not appropriate for certain areas. The most congested sections of the H-1 Freeway were built prior to today's modernized design and access restrictions for interchange proximities. Closely spaced ramps reduce the creation of gaps necessary for vehicles to merge, weave, enter and change lanes comfortably. H.B. 761 will create more challenging driving conditions by congesting the right lanes with larger, slower moving vehicles making lane transitions more difficult. The end result may actually be a slower traffic flow rather than what is intended to help improve traffic flow and safety;
3. H.B. 761 will also result in heavy trucks making last-minute changes when left turns or exits are necessary. These heavy trucks are not as maneuverable as passenger vehicles and all motorists will be exposed to increased conflicts in these last-minute lane changes; and
4. When the A.M. zipper lane is deployed, only the far left-most westbound freeway lane is allowed to proceed towards Waianae when approaching the H-1/H-2 Junction. H.B. 761 will prohibit heavy trucks from using this lane thereby decreasing their freeway access to Ewa, Kapolei, Campbell Industrial Park and Kalaeloa Barbers Point Harbor.

Thank you for the opportunity to provide testimony.



February 11, 2015

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION  
ON HB 761 RELATING TO TRANSPORTATION**

Thank you Chair Aquino and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) with over 400 transportation related members throughout the state of Hawaii.

Hawaii Transportation Association opposes this bill.

Any vehicle that can maintain the legal speed limit should be allowed access to any lane, unless it cannot safely traverse that road.

Commercial vehicles service people everywhere so must be able to travel everywhere.

The freeway has exits that are accessed via the left lane like Aiea and Pearlridge going Westbound and heading toward Waianae when the zipper lane is deployed, and to Mililani going Eastbound.

Commercial motor vehicles pay more taxes and fees than other vehicles and should not be offered less capacity on the roads and highways.

Thank you.

From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, February 10, 2015 10:29 PM  
To: TRNtestimony  
Cc: makahababy@aol.com  
Subject: Submitted testimony for HB761 on Feb 11, 2015 10:00AM

**HB761**

Submitted on: 2/10/2015

Testimony for TRN on Feb 11, 2015 10:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sara Perry	Individual	Support	No

Comments: I support the premise and intent of this bill. Having grown up, lived and driven on the Leeward coast, I have watched countless accidents occur because large truck drivers are either speeding, or encroaching upon others lanes. My father does accident reconstruction for heavy machinery, large trucks and buses, and other vehicles with high weight capacities. I have seen the destruction that these types of vehicles and trucks can do to a POV. Often fatalities result because when you have a giant, heavy truck and a small vehicle... The truck will inevitably always win because it's a larger, heavier, and able to inflict much greater amounts of damage on all vehicles in its path of destruction. Because of these factors, I think that large trucks should be staying out of the left lanes as a rule. Traditionally, the left lanes are used for passing and vehicles going at or above the posted speed limit. Large trucks should not be going this fast, nor should they be passing other smaller cars unless out of dire necessity. I think that by restricting them to more right-hand direction lanes, that it will slow them down and make the roads safer for all vehicles who must share them. Well I do want to note that not all CDL licensed drivers of these large trucks and large vehicles are dangerous, are breaking any rules or laws, or even need to be addressed with this law, I would like to state that there are enough of them out there who have proven to be dangerous that this law is a public necessity at this point. It will help provide safer roads for all of us who must travel to get from point A to point B, and would like to do so safely.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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