

---

---

# A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

1           SECTION 1. The legislature finds that unsafe driving  
2 conditions may occur on two-lane roadways when the lead vehicle  
3 is moving slowly, causing a back-up of vehicles behind the lead  
4 vehicle, and traffic moving in the opposite direction makes  
5 passing vehicles unsafe. This situation is frequently  
6 encountered on Hana highway, between mile markers 00 and 34,  
7 where visibility around turns is limited by natural contours of  
8 the road.

9           Accordingly, the purpose of this Act is to promote traffic  
10 safety on Hana highway by requiring drivers of lead vehicles on  
11 the highway, between mile markers 00 and 34, to use turnouts and  
12 allow vehicles to pass under certain circumstances.

13           SECTION 2. Section 291C-41, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           " **[+]§291C-41[+]** Drive on right side of roadway;  
16 **exceptions.** (a) Upon all roadways of sufficient width a



1 vehicle shall be driven upon the right half of the roadway,  
2 except as follows:

3 (1) When overtaking and passing another vehicle proceeding  
4 in the same direction under the rules governing [~~such~~]  
5 the movement;

6 (2) When an obstruction exists making it necessary to  
7 drive to the left of the center of the highway;  
8 provided any person so doing shall yield the right-of-  
9 way to all vehicles traveling in the proper direction  
10 upon the unobstructed portion of the highway within  
11 [~~such~~] the distance [~~as to constitute~~] constituting an  
12 immediate hazard;

13 (3) Upon a roadway divided into three marked lanes for  
14 traffic under the rules applicable thereon; or

15 (4) Upon a roadway designated and signposted one-way  
16 traffic.

17 (b) Upon all roadways any vehicle proceeding at less than  
18 the normal speed of traffic at the time and place and under the  
19 conditions then existing shall be driven in the right-hand lane  
20 then available for traffic, or as close as practicable to the  
21 right-hand curb or edge of the roadway, except when overtaking



1 and passing another vehicle proceeding in the same direction or  
2 when preparing for a left turn at an intersection or into a  
3 private road or driveway.

4 (c) Upon any roadway having four or more lanes for moving  
5 traffic and providing for two-way movement of traffic, no  
6 vehicle shall be driven to the left of the center line of the  
7 roadway, except when authorized by official traffic-control  
8 devices designating certain lanes to the left side of the center  
9 of the roadway for use by traffic not otherwise permitted to use  
10 [~~such~~] the lanes, or except as permitted under subsection  
11 (a)(2). This subsection shall not be construed to prohibit the  
12 crossing of the center line in making a left turn into or from  
13 an alley, private road, or driveway.

14 (d) Upon Hana highway, between mile markers 00 and 34, if  
15 passing is made unsafe due to traffic in the opposite direction  
16 or other conditions, any vehicle proceeding upon the roadway,  
17 behind which five or more vehicles are formed in line with no  
18 more than thirty feet between each vehicle, shall turn off the  
19 roadway at the nearest place designated as a turnout by signs  
20 erected by the department of transportation, or wherever



# H.B. NO. 1775

1 sufficient area for a safe turnout exists, in order to permit  
2 those other vehicles to proceed."

3 SECTION 3. New statutory material is underscored.

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

5

INTRODUCED BY: \_\_\_\_\_



By Request

JAN 16 2020



# H.B. NO. 1775

**Report Title:**

Maui County Package; Hana Highway; Traffic Safety

**Description:**

Requires vehicles on certain areas of Hana highway, behind which a certain number of vehicles are formed in a line, to use turnouts on the highway to let those other vehicles proceed when passing is unsafe.

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

