
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 be created on two-lane roadways where: (1) the
3 lead vehicle is moving slowly, (2) there is a backup of vehicles
4 behind the lead vehicle, and (3) traffic moving in the opposite
5 direction makes it unsafe to pass. These conditions are
6 frequently encountered on the Hāna highway, between mile marker
7 00 and mile marker 34, where visibility around turns is
8 inhibited because of the natural contours of the road.

9 The purpose of this Act is to require the driver of the
10 lead vehicle on Hāna highway, between mile marker 00 and mile
11 marker 34, to use turnouts and allow vehicles to pass, thereby
12 promoting traffic safety on this roadway.

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 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 distance as to constitute an immediate hazard;

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

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

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



1 when preparing for a left turn at an intersection or into a
2 private road or driveway.

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

13 (d) A vehicle proceeding upon Hana highway between mile
14 marker 00 and mile marker 34 must turn off the roadway at the
15 nearest place designated as a turnout by signs erected by the
16 authority having jurisdiction over the roadway, or wherever
17 sufficient area for a safe turnout exists, and permit the
18 vehicles following it to pass where:

19 (1) Five or more vehicles are formed in a line behind it;
20 or



1 (2) Passing the lead vehicle is unsafe because of traffic
2 in the opposite direction or other conditions."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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H.B. NO. 2566

Report Title:

Hana Highway; Traffic; Road Safety

Description:

Requires the driver of a lead vehicle on the Hana highway between mile markers 00 and 43 to use turnouts and allow vehicles to pass under certain circumstances.

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