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# 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.

6           The purpose of this Act is to require a vehicle on any two-  
7 lane roadway that provides for two-way movement of traffic,  
8 proceeding at less than the speed limit, where passing or  
9 overtaking another vehicle is not possible or permitted, and a  
10 line of five or more vehicles has formed immediately behind the  
11 vehicle, to move off the roadway at the nearest location where  
12 sufficient space exists for trailing vehicles to overtake.

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) Upon any two-lane roadway providing for two-way  
14 movement of traffic, any vehicle proceeding at less than the  
15 speed limit, where passing or overtaking another vehicle is not  
16 possible or permitted, and a line of five or more vehicles has  
17 formed immediately behind, shall move off the roadway at the  
18 nearest location where sufficient space exists for trailing  
19 vehicles to overtake."

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 Statutory material to be repealed is bracketed  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



1 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Traffic; Road Safety; Overtaking of Vehicles

**Description:**

Requires vehicles on any two-lane roadway that provides for two-way movement of traffic, proceeding at less than the speed limit, where passing or overtaking another vehicle is not possible or permitted, and a line of five or more vehicles has formed immediately behind the vehicle, to move off the roadway at the nearest location where sufficient space exists for trailing vehicles to overtake. Takes effect on 7/1/2050. (HD1)

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

