
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. For example, this situation is
6 frequently encountered on Hana highway, between mile markers 00
7 and 34, where visibility around turns is limited by natural
8 contours of the road.

9 Accordingly, the purpose of this Act is to promote traffic
10 safety on two-lane roadways by requiring drivers of lead
11 vehicles on two-lane roadways to allow vehicles to pass under
12 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 any two-lane roadway providing for two-way
15 movement of traffic, any vehicle proceeding at less than the
16 speed limit where passing or overtaking another vehicle is not
17 possible or permitted, and a line of five or more vehicles
18 following immediately behind, shall move off the roadway at the
19 nearest location where sufficient space exists for trailing
20 vehicles to overtake."



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 Statutory material to be repealed is bracketed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

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



Report Title:

Maui County Package; Two-lane Highway; Traffic Safety

Description:

Requires vehicles on a two-lane highway, behind which a certain number of vehicles are formed in a line, to pull over where possible to let the trailing vehicles proceed when passing is unsafe. (SD1)

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