
A BILL FOR AN ACT

RELATING TO THE TRAFFIC CODE.

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

1 SECTION 1. The legislature finds that some traffic signals
2 controlled by vehicle detection devices are not able to detect
3 bicycles, motorcycles, or mopeds due to their size and weight.
4 This situation can create a dangerous environment for operators
5 of bicycles, motorcycles, and mopeds, who are forced to either
6 disregard the signal altogether or wait for another motor
7 vehicle to trigger the traffic signal.

8 The legislature further finds that several states have
9 already passed varying "dead red" laws, which allow operators of
10 bicycles, motorcycles, and mopeds to proceed through a red
11 traffic signal if they fail to trigger the traffic signal
12 sensor.

13 The purpose of this Act is to allow operators of bicycles,
14 motorcycles, and mopeds to proceed through an intersection on a
15 steady red signal during certain hours if the traffic signal is
16 controlled by a vehicle detection device that is inoperative due
17 to the size or composition of the bicycle, motorcycle, or moped.



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

4 "§291C- Bicycle at intersection with inoperative
5 vehicle detection device. Notwithstanding any law to the
6 contrary, any person operating a bicycle between the hours of
7 11:00 p.m. and 5:00 a.m. may proceed directly through an
8 intersection on a steady red signal; provided that:

- 9 (1) The intersection, including a left turn intersection,
10 is controlled by a triggered traffic control signal
11 using a vehicle detection device that is inoperative
12 due to the size or composition of the bicycle;
13 (2) The operator of the bicycle comes to a full and
14 complete stop at the intersection;
15 (3) The traffic control signal, including the left turn
16 signal, as appropriate, fails to operate after one
17 cycle of the traffic signal; and
18 (4) The operator of the bicycle exercises due care and
19 proceeds with caution through the intersection when it
20 is safe to do so."



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

4 "§291C- Motorcycle at intersection with inoperative
5 vehicle detection device. Notwithstanding any law to the
6 contrary, any person operating a motorcycle between the hours of
7 11:00 p.m. and 5:00 a.m. may proceed directly through an
8 intersection on a steady red signal; provided that:

- 9 (1) The intersection, including a left turn intersection,
10 is controlled by a triggered traffic control signal
11 using a vehicle detection device that is inoperative
12 due to the size or composition of the motorcycle;
13 (2) The operator of the motorcycle comes to a full and
14 complete stop at the intersection;
15 (3) The traffic control signal, including the left turn
16 signal, as appropriate, fails to operate after one
17 cycle of the traffic signal; and
18 (4) The operator of the motorcycle exercises due care and
19 proceeds with caution through the intersection when it
20 is safe to do so."



1 SECTION 4. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to part XVI to be appropriately
3 designated and to read as follows:

4 "§291C- Moped at intersection with inoperative vehicle
5 detection device. Notwithstanding any law to the contrary, any
6 person operating a moped between the hours of 11:00 p.m. and
7 5:00 a.m. may proceed directly through an intersection on a
8 steady red signal; provided that:

- 9 (1) The intersection, including a left turn intersection,
10 is controlled by a triggered traffic control signal
11 using a vehicle detection device that is inoperative
12 due to the size or composition of the moped;
13 (2) The operator of the moped comes to a full and complete
14 stop at the intersection;
15 (3) The traffic control signal, including the left turn
16 signal, as appropriate, fails to operate after one
17 cycle of the traffic signal; and
18 (4) The operator of the moped exercises due care and
19 proceeds with caution through the intersection when it
20 is safe to do so."

21 SECTION 5. New statutory material is underscored.



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1 SECTION 6. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Elle Cochran

JAN 25 2023



H.B. NO. 1319

Report Title:

Traffic Code; Bicycles; Motorcycles; Mopeds; Intersection;
Inoperative Vehicle Detection Device

Description:

Allows operators of bicycles, motorcycles, and mopeds to proceed through an intersection on a steady red signal during certain hours if the traffic signal is controlled by a vehicle detection device that is inoperative due to the size or composition of the bicycle, motorcycle, or moped.

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