

ACT 145

H.B. NO. 2332

A Bill for an Act Relating to the Traffic Code.

Be It Enacted by the Legislature of the State of Hawaii:

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

“§291C- Waste material from motor vehicles. (a) Notwithstanding sections 291C-131 and 291C-132 to the contrary, a driver of a motor vehicle from which waste material falls onto a highway or roadway shall be responsible for the removal of the fallen waste material. If the driver is unable to remove the waste material from the highway or roadway, or if removal will create a hazardous situation, the driver shall report, without unnecessary delay, the following information to the county police department:

- (1) Description of the fallen waste material;
- (2) Location of the fallen waste material;
- (3) Time of the incident; and
- (4) Any other pertinent information.

(b) A driver who:

- (1) Knowingly refuses to remove waste material that has fallen from the driver’s motor vehicle onto a highway or roadway; and
- (2) Knowingly fails to report the incident, without unnecessary delay, to the county police department, pursuant to subsection (a),

shall be subject to the penalties set forth in section 291C-161.

(c) As used in this section, “waste material” means rubbish, refuse, garbage, trash, tire debris, mufflers, tail pipes, or debris of whatever kind or description. “Waste material” does not include material used by authorized persons in connection with any lawful purpose.”

SECTION 2. New statutory material is underscored.¹

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

(Approved July 2, 1998.)

Note

1. Edited pursuant to HRS §23G-16.5.