

A Bill for an Act Relating to Highways.

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

SECTION 1. Section 264-101, Hawaii Revised Statutes, is amended to read as follows:

“[[§264-101]] Vending from [state] highways prohibited. [Any] (a) No person shall park or place a vehicle or structure [parked or placed] wholly or partly [within the right-of-way of] on any [state] highway for the purpose of selling the vehicle or structure or of selling therefrom or therein any article, service, or thing, [creates] thereby creating a hazardous condition or [is] a public nuisance [and the] or in reckless disregard of the risk of creating a hazardous condition or public nuisance. The department of transportation may remove or require the immediate removal of the vehicle or structure from the highway.

(b) For the purposes of this section, “highway” means the entire width, including the beam and shoulder of a public highway as defined in section 264-1.”

SECTION 2. Section 264-102, Hawaii Revised Statutes, is amended to read as follows:

“[[§264-102]] Penalty. Any person [parking any vehicle or placing any structure wholly or partly within any state highway for the purpose of selling the vehicle or structure or selling therefrom or therein any article, service, or thing] who violates section 264-101 is guilty of a petty misdemeanor[.] and shall be fined not more than \$1,000 or imprisoned not more than thirty days, or both.”

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 Statutory material to be repealed is bracketed.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

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

(Approved April 19, 2000.)