

ACT 138

H.B. NO. 123

A Bill for an Act Relating to Speeding.

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

SECTION 1. Section 291C-104, Hawaii Revised Statutes, is amended to read as follows:

“~~[§]291C-104[§]~~ **Speeding in a school zone or construction area.** (a) No person shall drive a motor vehicle at a speed greater than the maximum speed limit established pursuant to subsection (b) within a school zone or a construction area. Appropriate law enforcement personnel may enforce the maximum speed limits established for school zones and construction areas.

(b) ~~[Notwithstanding section]~~ Section 291C-102[;] notwithstanding, the director of transportation and the counties, in their respective jurisdictions, shall establish maximum speed limits for school zones and construction areas[;] and shall require the owner, general contractor, or other person responsible for construction to provide proper signs in ~~[that area.]~~ construction areas. The director of transportation shall place official signs in school zones.

Signs posted pursuant to this subsection shall be plainly visible at all times under ordinary traffic conditions.

(c) Any person who violates this section shall be fined \$250.

~~[(e)]~~ (d) For purposes of this section~~[-, the term “construction”]~~:

“Construction area” includes any area in which there is occurring the installation, construction, or demolition of connections for streets, roads, driveways, concrete curbs and sidewalks, structures, drainage systems, landscaping, or grading within the highway rights-of-way, including aboveground and underground utility work, excavation and backfilling of trenches or other openings in state highways, the

restoration, replacement, or repair of the base course, pavement surfaces, highway structures, or any other highway improvements.

“School zone” means every street and all public property in the vicinity of a school as designated by the department of transportation and the counties, in their respective jurisdictions.

~~[(d)]~~ (e) The director shall adopt rules pursuant to chapter 91 as may be necessary to implement this section.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved May 24, 2001.)