
A BILL FOR AN ACT

RELATING TO BICYCLES.

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

1 SECTION 1. The legislature finds that maintaining a safe
2 passing distance between vehicles and bicyclists on the road
3 will directly address one of the biggest hazards to bicyclists.
4 According to the United States Department of Transportation,
5 National Highway Traffic Safety Administration, twenty-eight
6 cyclists have been killed on roads in Hawaii during the time
7 period between 2006 and 2015. A May 2014 report conducted by
8 the League of American Bicyclists stated that forty-four per
9 cent of all bicyclist fatalities result from being struck from
10 behind or sideswiped by a motorist. The National Highway
11 Traffic Safety Administration reported in its 2012 "National
12 Survey of Bicyclist and Pedestrian Attitudes and Behavior" that
13 twelve per cent of bicyclists "felt threatened for personal
14 safety" the last time they rode a bicycle. The primary reason
15 given by those bicyclists was that "someone drove too close to
16 them."



1 The legislature further finds that safely sharing our roads
2 requires clear ground rules. Many drivers do not know the
3 amount of distance they need to maintain to safely pass a
4 bicyclist. A law that sets a three-foot safe passing distance
5 would make it clear to drivers how much space they must maintain
6 when passing a bicyclist.

7 The legislature also finds that similar safe passing
8 distance laws have been effective in other jurisdictions.
9 Thirty-nine states and the District of Columbia have a safe
10 passing distance law. Twenty-eight of those jurisdictions
11 require a three-foot safe passing distance. Some of those
12 jurisdictions require four feet or more.

13 The purpose of this Act is to establish a pilot program to
14 require a three-foot minimum safe passing distance when a
15 motorist passes and overtakes a bicyclist in a county consisting
16 of two inhabited islands.

17 SECTION 2. (a) There is established a bicycle overtaking
18 safety pilot program in a county consisting of two inhabited
19 islands.

20 (b) Notwithstanding any provision of law to the contrary,
21 within a county consisting of two inhabited islands, the driver



1 of a vehicle passing or overtaking a bicyclist proceeding in the
2 same direction shall allow at least three feet of separation
3 between the right side of the driver's vehicle, including all
4 mirrors or other protuberances, and the left side of the
5 bicyclist, and shall not again drive to the right side of the
6 roadway until safely clear of the overtaken bicycle.

7 (c) The bicycle overtaking safety pilot program shall
8 begin on January 1, 2019, and shall cease to exist on
9 December 31, 2020.

10 SECTION 3. The Kauai police department shall submit a
11 report to the legislature no later than twenty days prior to the
12 convening of the 2020 and 2021 regular sessions on the
13 implementation and results of the bicycle overtaking safety
14 pilot program.

15 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Bicyclist; Passing and Overtaking; Motor Vehicle Drivers; Pilot Program

Description:

Establishes the bicycle overtaking safety pilot program within a county consisting of two inhabited islands that requires the driver of a vehicle passing and overtaking a bicycle proceeding in the same direction to allow at least three feet of separation between the right side of the driver's vehicle and the left side of the bicyclist. Requires the Kauai police department to submit reports to the legislature on the implementation and results of the pilot program. Takes effect 7/1/2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

