

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO TRAFFIC.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by amending the title of Part VIII to read as follows:

3 "PART VIII. TURNING [~~AND STARTING~~], STARTING, AND  
4 PROCEEDING AND SIGNALS ON STOPPING [~~AND TURNING~~], TURNING, AND  
5 BICYCLE PROCEEDING"

6 SECTION 2. Section 291C-81, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "§291C-81 Required position and method of turning at  
9 intersections[-]; bicycle proceeding through intersections. (a)

10 The driver of a vehicle intending to turn at an intersection  
11 shall do so as follows:

12 (1) Right turns. Both the approach for a right turn and a  
13 right turn shall be made as close as practicable to  
14 the right-hand curb or edge of the roadway.

15 (2) Left turns. The driver of a vehicle intending to turn  
16 left at any intersection shall approach the  
17 intersection in the extreme left-hand lane lawfully



1 available to traffic moving in the direction of travel  
2 of [~~such~~] the vehicle, and, after entering the  
3 intersection, the left turn shall be made so as to  
4 leave the intersection in a lane lawfully available to  
5 traffic moving in [~~such~~] the direction upon the  
6 roadway being entered. Whenever practicable the left  
7 turn shall be made in that portion of the intersection  
8 to the left of the center of the intersection.

9 (b) Any person operating a bicycle proceeding in a right  
10 turn only lane may continue proceeding through an intersection  
11 in the direction of travel if the operator cannot with  
12 reasonable safety merge left into the traffic lane prior to the  
13 intersection; provided that the operator shall make a signal of  
14 intention to turn left, which in this circumstance shall  
15 indicate the intention to merge left into the traffic lane as  
16 soon as practicable and continue proceeding in the traffic lane.

17 [~~3~~] (c) The director of transportation and the counties  
18 in their respective jurisdictions may cause official traffic-  
19 control devices to be placed within or adjacent to intersections  
20 and thereby require and direct that a different course from that  
21 specified in this section be traveled by vehicles turning at an



1 intersection, and when such devices are so placed no driver of a  
2 vehicle shall turn a vehicle at an intersection other than as  
3 directed and required by [~~such~~] the devices."

4 SECTION 3. Section 291C-84, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "**§291C-84 Turning and bicycle proceeding movements and**  
7 **required signals.** (a) No person shall turn a vehicle at an  
8 intersection unless the vehicle is in proper position upon the  
9 roadway as required in section 291C-81, or turn a vehicle to  
10 enter a private road or driveway, or otherwise turn a vehicle  
11 from a direct course or move right or left upon a roadway unless  
12 and until [~~such~~] the movement can be made with reasonable  
13 safety. No person shall so turn any vehicle without giving an  
14 appropriate signal in the manner [~~hereinafter~~] provided[~~-~~] by  
15 this section.

16 (b) A signal of intention to turn right or left when  
17 required shall be given continuously during not less than the  
18 last one hundred feet traveled by the vehicle before turning;  
19 provided that for a bicycle or moped, [~~such~~] the signal shall be  
20 given continuously during not less than the last one hundred  
21 feet traveled by the bicycle or moped before turning, and shall



1 be given when the bicycle or moped is stopped waiting to turn;  
2 [~~and further~~] provided further that a signal by hand and arm  
3 need not be given continuously by the driver of a bicycle or  
4 moped if the hand is needed in the braking, control, or  
5 operation of the bicycle or moped.

6 (c) Any person operating a bicycle proceeding in a right  
7 turn only lane may continue proceeding through an intersection  
8 in the direction of travel if the person cannot with reasonable  
9 safety merge left into the traffic lane prior to the  
10 intersection; provided that the person shall make a signal of  
11 intention to turn left, which in this circumstance shall  
12 indicate the intention to merge left into the traffic lane as  
13 soon as practicable and continue proceeding in the traffic lane.

14 [~~(e)~~] (d) No person shall stop or suddenly decrease the  
15 speed of a vehicle without first giving an appropriate signal in  
16 the manner provided [~~herein~~] by this section to the driver of  
17 any vehicle immediately to the rear when there is opportunity to  
18 give [~~such~~] a signal.

19 [~~(d)~~] (e) The signals provided for in section 291C-85(b)  
20 shall be used to indicate an intention to turn, change lanes, or  
21 start from a parked position and shall not be flashed on one



1 side only on a parked or disabled vehicle, or flashed as a  
2 courtesy or "do pass" signal to operators of other vehicles  
3 approaching from the rear."

4 SECTION 4. Section 291C-145, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 **"§291C-145 Riding on roadways and bikeways.** (a) Every  
7 person operating a bicycle upon a roadway at a speed less than  
8 the normal speed of traffic moving in the same direction [~~at~~  
9 ~~such time~~] shall ride as near to the right-hand curb, on the  
10 edge of the roadway, or on the shoulder off of the roadway as  
11 practicable, exercising due care when passing a standing vehicle  
12 or one proceeding in the same direction; except under any of the  
13 following situations:

- 14 (1) When preparing for a left turn at an intersection or  
15 into a private road or driveway, except where  
16 prohibited by official traffic-control devices;
- 17 (2) When reasonably necessary to avoid conditions  
18 (including but not limited to fixed or moving objects,  
19 vehicles, bicycles, pedestrians, animals, surface  
20 hazards, or substandard width lanes) that make it  
21 unsafe to continue along the right-hand curb, on the



1 edge of the roadway, or on the shoulder off of the  
2 roadway. For purposes of this ~~[section,]~~ paragraph, a  
3 "substandard width lane" is a lane that is too narrow  
4 for a bicycle and a vehicle to travel safely side-by-  
5 side within the lane; or

6 (3) When a roadway is designated and signposted to carry  
7 traffic in one direction only and has two or more  
8 marked traffic lanes, a person operating a bicycle may  
9 ride as near to the left-hand curb, on the edge of the  
10 roadway, or on the shoulder off of ~~[such]~~ the roadway  
11 as practicable.

12 (b) When approaching an intersection where there is a  
13 right turn only lane, a person operating a bicycle may proceed  
14 in the right turn only lane even if the person does not intend  
15 to turn right; provided that the person shall not pass a vehicle  
16 that is stopped in the right turn only lane; provided further  
17 that the person shall comply with section 291C-84(c).

18 ~~[-(b)]~~ (c) Persons ~~[riding]~~ operating bicycles upon a  
19 roadway shall ride in single file; provided that where the flow  
20 of traffic is unimpeded, riding two abreast upon bicycle lanes  
21 and bicycle paths shall be permitted when ~~[such]~~ the lane or



1 path is of sufficient width to allow riding two abreast unless  
2 otherwise prohibited by rule or ordinance adopted by the  
3 director of transportation or by the counties.

4 ~~[-(e)]~~ (d) Whenever a usable bicycle lane has been provided  
5 on a highway, any person operating a bicycle at a speed less  
6 than the normal speed of traffic moving in the same direction  
7 ~~[at such time]~~ shall ride within ~~[such]~~ the bicycle lane, except  
8 that ~~[such]~~ the person may move out of the lane under any of the  
9 following situations:

10 (1) When overtaking and passing another bicycle, vehicle,  
11 or pedestrian within the lane or about to enter the  
12 lane if ~~[such]~~ overtaking and passing cannot be done  
13 safely within the lane;

14 (2) When preparing for a left turn at an intersection or  
15 into a private road or driveway; or

16 (3) When reasonably necessary to leave the bicycle lane to  
17 avoid debris or other hazardous conditions.

18 ~~[-(d)]~~ (e) No person operating a bicycle shall leave a  
19 bicycle lane until the movement can be made with reasonable  
20 safety and then only after giving an appropriate signal in the  
21 event that any vehicle may be affected by the movement.



1           ~~(e)~~ (f) No person shall operate or ride a bicycle within  
2 a bicycle lane in any direction except that permitted of  
3 vehicular traffic traveling on the same side of the highway.  
4 Upon all bicycle paths of sufficient width and providing for  
5 two-way movement of bicycle traffic, bicycles proceeding in  
6 opposite directions shall pass each other to the right.

7           ~~(f)~~ (g) The director of transportation by rule and the  
8 counties by ordinance may with respect to bikeways under their  
9 respective jurisdictions restrict or prohibit the use of ~~such~~  
10 bikeways by mopeds.

11           ~~(g)~~ (h) No person shall ride a bicycle equipped with a  
12 motor on any sidewalk. The counties may, by ordinance, post  
13 bicycle lanes and bicycle paths to prevent persons riding a  
14 bicycle equipped with a motor from using them."

15           SECTION 5. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

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

18

INTRODUCED BY: *J. P. Rivera*



# S.B. NO. 581

**Report Title:**

Bicycles; Traffic Safety; Right Turn Only Lanes

**Description:**

Permits a bicyclist to proceed through an intersection from a right turn only lane if they cannot safely merge into the traffic lane, provided they signal intention to merge left. Permits a bicyclist to proceed in a right turn only lane when approaching an intersection, even if they do not intend to turn right, provided that they do not pass a stopped vehicle and that they exercise reasonable safety when passing a moving vehicle.

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

