



GOV. MSG. NO. 699

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 1, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 1, 2009, the following bill was signed into law:

SB714 SD1 HD2 CD1

A BILL FOR AN ACT
RELATING TO HIGH OCCUPANCY VEHICLE
LANES.
ACT 082 (09)

Sincerely,



LINDA LINGLE

Approved by the Governor

on JUN 1 2009

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

ACT 082

S.B. NO. 714
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO HIGH OCCUPANCY VEHICLE LANES.

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

1 SECTION 1. Hawaii's highways are necessary for our
2 people's transportation. Increased travel time decreases time
3 at home or at work, reducing people's quality of life and work
4 effectiveness. As the population grows, especially on the west
5 side of Oahu, the need for travel lanes will only increase.

6 High occupancy vehicle lanes and zipper lanes provide an
7 incentive to carpool, effectively reducing the number of cars on
8 the road. However, many incidents, including accidents, car
9 crashes, and stalled vehicles, cause lane closures. This
10 reduction in available travel lanes slows traffic significantly.
11 Studies have shown that for each minute an incident remains in a
12 lane, the backlog of traffic increases by ten minutes.
13 Therefore, allowing the use of the high occupancy vehicle lanes
14 and zipper lanes by any motor vehicle, regardless of the number
15 of passengers, when an incident occurs would be the most
16 effective use of lanes for all citizens.

17 The purpose of this Act is to mitigate traffic and ensure
18 the most effective use of all travel lanes.



1 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291C- High occupancy vehicle lanes; emergencies. (a)
5 Notwithstanding any law to the contrary, when a roadway includes
6 one or more lanes for traffic moving in the same direction that
7 include a high occupancy vehicle lane or zipper lane, and at
8 least one lane other than a high occupancy vehicle lane or
9 zipper lane is closed by law enforcement officers or emergency
10 services personnel because of a traffic incident or accident,
11 any motor vehicle, regardless of the number of persons carried,
12 that can safely enter the high occupancy vehicle lane or zipper
13 lane shall, subject to subsection (b), be allowed to use the
14 high occupancy vehicle lane or zipper lane.

15 (b) For the purposes of subsection (a), the director of
16 transportation shall have the authority to declare an emergency
17 to open the use of high occupancy vehicle lanes and zipper lanes
18 to all motor vehicles regardless of the number of persons
19 carried.

20 (c) For the purposes of this section:



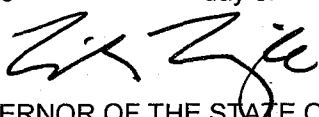
1 "Accident" means an unplanned event involving a motor
2 vehicle, resulting in damage to one or more motor vehicles,
3 property damage, or personal injury.

4 "Incident" includes any accident or issue that disrupts the
5 flow of traffic."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2009.

APPROVED this 1 day of JUN, 2009



GOVERNOR OF THE STATE OF HAWAII