

JAN 18 2012

S.B. NO. 2045

A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

1 SECTION 1. Section 291C-123, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§291C-123 Driving or parking upon bikeway; parking**
4 **penalty.** (a) No person shall drive any vehicle other than a
5 bicycle or moped upon a bicycle lane [~~or bicycle path~~], except
6 upon a permanent or authorized temporary driveway, or park any
7 vehicle upon a bicycle lane [~~or bicycle path; provided that~~].

8 (b) No person shall drive any vehicle other than a bicycle
9 or moped upon a bicycle path, except upon a permanent or
10 authorized temporary driveway, or park any vehicle upon a
11 bicycle path; provided that a moped driver shall be required to
12 use a bicycle lane where available, pursuant to section
13 291C-197(a).

14 (c) Notwithstanding subsections (a) and (b), any vehicle
15 may be driven or parked in a bicycle lane or bicycle path as
16 applicable if:

17 (1) It is in the process of executing a legal turn, lane
18 change, or parking maneuver;



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1 (2) It is an authorized emergency vehicle performing the
2 functions under section 291C-26;

3 (3) It is an official federal, state, or county vehicle in
4 the performance of its actual duty;

5 (4) It is a stalled or broken vehicle;

6 (5) It is necessary to assist a stalled or broken vehicle;

7 (6) It is necessary to yield to an authorized emergency
8 vehicle pursuant to section 291C-65; or

9 (7) It is otherwise provided by law.

10 ~~[-b-]~~ (d) Any person violating the parking ~~[prohibition in~~
11 ~~subsection (a)]~~ prohibitions in this section shall be fined not
12 more than \$500."

13 SECTION 2. Section 291C-145, Hawaii Revised Statutes, is
14 amended by amending subsection (f) to read as follows:

15 "(f) The director of transportation by rule and the
16 counties by ordinance may with respect to bikeways under their
17 respective jurisdictions restrict or prohibit the use of such
18 bikeways by mopeds~~[-]~~; provided that any such restriction or
19 prohibition complies with the requirements of section 291C-197."

20 SECTION 3. Section 291C-197, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



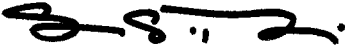
1 "(a) Wherever bicycle lanes are provided on the roadway,
2 moped drivers shall use such bicycle lanes~~[-]~~ and shall not use
3 bicycle paths. Signs clearly visible to an ordinarily observant
4 person indicating the prohibition shall be placed along bicycle
5 paths so designated and every moped driver shall obey the
6 directions thereof."

7 SECTION 4. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

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

13

INTRODUCED BY: 
BY REQUEST

S.B. NO. 2045

Report Title:

Traffic Safety; Bicycle Path; Bicycle Lane; Moped; Maui County Council Package

Description:

Prohibits moped drivers from using bicycle paths where bicycle lanes are provided.

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

