
A BILL FOR AN ACT

RELATING TO BICYCLE SAFETY.

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

1 SECTION 1. The legislature finds that bicycling is growing
2 in importance as a mode of transportation, and the safety of
3 bicyclists is of significant concern. Nationally, forty per
4 cent of all bicyclist fatalities result from being struck by a
5 motor vehicle from behind. In the last five years in Hawaii,
6 over fourteen bicyclists have been fatally struck by a motor
7 vehicle while operating on roads.

8 The legislature further finds that thirty-six states and
9 the District of Columbia have safe passing laws, and twenty-six
10 of those states specify that a minimum of three feet of
11 clearance must be given by a motorist when passing a bicyclist.
12 Supporting the safety of bicyclists will encourage the use of
13 bicycles as a method of transportation and is in the best
14 interest of the State.

15 The purpose of this Act is to specify that a motor vehicle
16 shall maintain a minimum clearance of three feet from a bicycle
17 when overtaking the bicycle.



1 SECTION 2. Section 291C-43, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§291C-43[+] Overtaking a vehicle or bicycle on the
4 left. The following rules shall govern the overtaking and
5 passing of vehicles or bicycles proceeding in the same
6 direction, subject to those limitations, exceptions, and special
7 rules hereinafter stated:

8 (1) The driver of a vehicle overtaking another vehicle
9 proceeding in the same direction shall pass to the
10 left thereof at a safe distance and shall not again
11 drive to the right side of the roadway until safely
12 clear of the overtaken vehicle[-]; provided that when
13 overtaking a bicycle, the motor vehicle shall maintain
14 a minimum safe distance between the motor vehicle and
15 the bicycle of at least three feet; and

16 (2) Except when overtaking and passing on the right is
17 permitted, the driver of an overtaken vehicle shall
18 give way to the right in favor of the overtaking
19 vehicle on audible signal and shall not increase the
20 speed of the driver's vehicle until completely passed
21 by the overtaking vehicle."



H.B. NO. 734

Report Title:

Motor Vehicles; Bicycle; Traffic Safety

Description:

Specifies the minimum safe distance from a bicycle that a motor vehicle must maintain when overtaking the bicycle.

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