
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 require a three-foot minimum
14 safe passing distance when a motorist passes and overtakes a
15 bicyclist.

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

18 " [†] §291C-43 [†] Overtaking a vehicle or bicycle on the
19 left. The following rules shall govern the overtaking and
20 passing of vehicles or bicycles proceeding in the same



1 direction, subject to those limitations, exceptions, and special
2 rules hereinafter stated:

3 (1) The driver of a vehicle overtaking another vehicle
4 proceeding in the same direction shall pass to the
5 left thereof at a safe distance and shall not again
6 drive to the right side of the roadway until safely
7 clear of the overtaken vehicle.

8 (2) The driver of a vehicle passing or overtaking a
9 bicyclist proceeding in the same direction shall allow
10 at least three feet of separation between the right
11 side of the driver's vehicle, including all mirrors or
12 other protuberances, and the left side of the
13 bicyclist, and shall not again drive to the right side
14 of the roadway until safely clear of the overtaken
15 bicycle.

16 [~~2~~] (3) Except when overtaking and passing on the right
17 is 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."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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



Report Title:

Bicyclist; Passing and Overtaking; Motor Vehicle Drivers

Description:

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. (HB2215 HD1)

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