



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 20, 2018

**GOV. MSG. NO. 1147**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 20, 2018, the following bill was signed into law:

HB2215 HD1 SD1 CD1

RELATING TO BICYCLES  
**ACT 047 (18)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# 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 bicyclists 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."

17           The legislature further finds that safely sharing our roads  
18 requires clear ground rules. Many drivers do not know the



1 amount of distance they need to maintain to safely pass a  
2 bicyclist. A law that sets a three-foot safe passing distance  
3 would make it clear to drivers how much space they must maintain  
4 when passing a bicyclist.

5 The legislature also finds that similar safe passing  
6 distance laws have been effective in other jurisdictions.  
7 Thirty-nine states and the District of Columbia have a safe  
8 passing distance law. Twenty-eight of those jurisdictions  
9 require a three-foot safe passing distance. Some of those  
10 jurisdictions require four feet or more.

11 The purpose of this Act is to require a three-foot minimum  
12 safe passing distance when a motorist passes and overtakes a  
13 bicyclist.

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

16 "[+]§291C-43 [+] Overtaking a vehicle or bicycle on the  
17 left. The following rules shall govern the overtaking and  
18 passing of vehicles or bicycles proceeding in the same  
19 direction, subject to those limitations, exceptions, and special  
20 rules hereinafter stated:



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

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

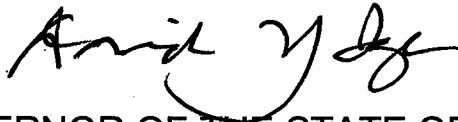
14 [~~2~~] (3) Except when overtaking and passing on the right  
15 is permitted, the driver of an overtaken vehicle shall  
16 give way to the right in favor of the overtaking  
17 vehicle on audible signal and shall not increase the  
18 speed of the driver's vehicle until completely passed  
19 by the overtaking vehicle."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2018.

APPROVED this 20 day of JUN, 2018



GOVERNOR OF THE STATE OF HAWAII



HB No. 2215, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki  
Speaker  
House of Representatives

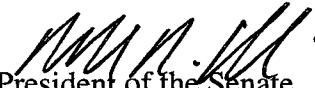



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 1, 2018  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.

  
President of the Senate

  
Clerk of the Senate