
A BILL FOR AN ACT

RELATING TO HIGHWAYS.

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

1 SECTION 1. Section 264-101, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§264-101 Vending from highways prohibited.** (a) No
4 person shall park or place a vehicle or structure wholly or
5 partly on any highway for the purpose of selling the vehicle or
6 structure or of selling therefrom or therein any article,
7 service, or thing, thereby creating a hazardous condition or a
8 public nuisance or in reckless disregard of the risk of creating
9 a hazardous condition or public nuisance. The department of
10 transportation may remove or require the immediate removal of
11 the vehicle or structure from the highway.

12 (b) The director of transportation, in the case of state
13 highways, may, upon application in writing, issue a written
14 permit, subject to any terms and conditions imposed by the
15 director, authorizing the applicant to vend in the airspace, as
16 that term is defined in title 23 Code of Federal Regulations
17 section 710.105, as amended, of the State's interstate highway
18 system.



1 [~~(b)~~] (c) For the purposes of this section, "highway"
2 means the entire width, including the berm or shoulder of a
3 public highway as defined in section 264-1."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Vending from Highways; Airspace

Description:

Authorizes the director of transportation, upon application, to issue a written permit authorizing the applicant to vend in the airspace above a highway. (CD1)

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