

JAN 21 2022

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# A BILL FOR AN ACT

RELATING TO TRAFFIC.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by amending the title of part VIII to read as follows:

3 "PART VIII. TURNING [AND], STARTING, AND PROCEEDING AND  
4 SIGNALS ON STOPPING [AND], TURNING, AND BICYCLE PROCEEDING"

5 SECTION 2. Section 291C-81, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "§291C-81 Required position and method of turning at  
8 intersections[-]; bicycle proceeding through intersections. (a)

9 The driver of a vehicle intending to turn at an intersection  
10 shall do so as follows:

11 (1) Right turns. Both the approach for a right turn and a  
12 right turn shall be made as close as practicable to  
13 the right-hand curb or edge of the roadway.

14 (2) Left turns. The driver of a vehicle intending to turn  
15 left at any intersection shall approach the  
16 intersection in the extreme left-hand lane lawfully  
17 available to traffic moving in the direction of travel



1 of such vehicle, and, after entering the intersection,  
 2 the left turn shall be made so as to leave the  
 3 intersection in a lane lawfully available to traffic  
 4 moving in such direction upon the roadway being  
 5 entered. Whenever practicable the left turn shall be  
 6 made in that portion of the intersection to the left  
 7 of the center of the intersection.

8 (b) The driver of a bicycle proceeding in a right turn  
 9 only lane may continue proceeding through an intersection in the  
 10 direction of travel if the driver cannot with reasonable safety  
 11 merge left into the thru traffic lane prior to the intersection;  
 12 provided that the driver of the bicycle shall make a signal of  
 13 intention to turn left, which in this circumstance shall  
 14 indicate the intention to merge left into the thru traffic lane  
 15 as soon as practicable and continue proceeding in the thru  
 16 traffic lane.

17 ~~[(3)]~~ (c) The director of transportation and the counties  
 18 in their respective jurisdictions may cause official traffic-  
 19 control devices to be placed within or adjacent to intersections  
 20 and thereby require and direct that a different course from that  
 21 specified in this section be traveled by vehicles turning at an



1 intersection, and when such devices are so placed no driver of a  
2 vehicle shall turn a vehicle at an intersection other than as  
3 directed and required by such devices."

4 SECTION 3. Section 291C-84, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§291C-84 Turning and bicycle proceeding movements and  
7 required signals. (a) No person shall turn a vehicle at an  
8 intersection unless the vehicle is in proper position upon the  
9 roadway as required in section 291C-81, or turn a vehicle to  
10 enter a private road or driveway, or otherwise turn a vehicle  
11 from a direct course or move right or left upon a roadway unless  
12 and until such movement can be made with reasonable safety. No  
13 person shall so turn any vehicle without giving an appropriate  
14 signal in the manner hereinafter provided.

15 (b) [A] Except as provided in subsection (c), a signal of  
16 intention to turn right or left when required shall be given  
17 continuously during not less than the last one hundred feet  
18 traveled by the vehicle before turning; provided that for a  
19 bicycle or moped, such signal shall be given continuously during  
20 not less than the last one hundred feet traveled by the bicycle  
21 or moped before turning, and shall be given when the bicycle or



1 moped is stopped waiting to turn; and further provided that a  
2 signal by hand and arm need not be given continuously by the  
3 driver of a bicycle or moped if the hand is needed in the  
4 braking, control, or operation of the bicycle or moped.

5 (c) The driver of a bicycle proceeding in a right turn  
6 only lane may continue proceeding through an intersection in the  
7 direction of travel if the driver cannot with reasonable safety  
8 merge left into the thru traffic lane prior to the intersection;  
9 provided that the driver of bicycle shall make a signal of  
10 intention to turn left, which in this circumstance shall  
11 indicate the intention to merge left into the thru traffic lane  
12 as soon as practicable and continue proceeding in the thru  
13 traffic lane.

14 [~~e~~] (d) No person shall stop or suddenly decrease the  
15 speed of a vehicle without first giving an appropriate signal in  
16 the manner provided herein to the driver of any vehicle  
17 immediately to the rear when there is opportunity to give such  
18 signal.

19 [~~d~~] (e) The signals provided for in section 291C-85(b)  
20 shall be used to indicate an intention to turn, change lanes, or  
21 start from a parked position and shall not be flashed on one



1 side only on a parked or disabled vehicle, or flashed as a  
2 courtesy or "do pass" signal to operators of other vehicles  
3 approaching from the rear."

4 SECTION 4. Section 291C-145, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§291C-145 Riding on roadways and bikeways. (a) Every  
7 person operating a bicycle upon a roadway at a speed less than  
8 the normal speed of traffic moving in the same direction at such  
9 time shall ride as near to the right-hand curb, on the edge of  
10 the roadway, or on the shoulder off of the roadway as  
11 practicable, exercising due care when passing a standing vehicle  
12 or one proceeding in the same direction; except under any of the  
13 following situations:

- 14 (1) When preparing for a left turn at an intersection or  
15 into a private road or driveway, except where  
16 prohibited by official traffic-control devices;
- 17 (2) When reasonably necessary to avoid conditions  
18 (including but not limited to fixed or moving objects,  
19 vehicles, bicycles, pedestrians, animals, surface  
20 hazards, or substandard width lanes) that make it  
21 unsafe to continue along the right-hand curb, on the



1 edge of the roadway, or on the shoulder off of the  
2 roadway. For purposes of this section, a "substandard  
3 width lane" is a lane that is too narrow for a bicycle  
4 and a vehicle to travel safely side-by-side within the  
5 lane; or

6 (3) When a roadway is designated and signposted to carry  
7 traffic in one direction only and has two or more  
8 marked traffic lanes, a person operating a bicycle may  
9 ride as near to the left-hand curb, on the edge of the  
10 roadway, or on the shoulder off of such roadway as  
11 practicable.

12 (b) When approaching an intersection where right turns are  
13 permitted and there is a right turn only lane, a driver of a  
14 bicycle may proceed in the right turn only lane even if the  
15 driver of the bicycle does not intend to turn right; provided  
16 that the driver of the bicycle shall not pass a vehicle that is  
17 stopped in the right turn only lane; provided further that the  
18 driver of the bicycle shall exercise reasonable safety when  
19 passing a vehicle proceeding in the same direction in the right  
20 turn only lane.



1           ~~(b)~~ (c) Persons riding bicycles upon a roadway shall  
2 ride in single file; provided that where the flow of traffic is  
3 unimpeded, riding two abreast upon bicycle lanes and bicycle  
4 paths shall be permitted when such lane or path is of sufficient  
5 width to allow riding two abreast unless otherwise prohibited by  
6 rule or ordinance adopted by the director of transportation or  
7 by the counties.

8           ~~(e)~~ (d) Whenever a usable bicycle lane has been provided  
9 on a highway, any person operating a bicycle at a speed less  
10 than the normal speed of traffic moving in the same direction at  
11 such time shall ride within such bicycle lane, except that such  
12 person may move out of the lane under any of the following  
13 situations:

14           (1) When overtaking and passing another bicycle, vehicle,  
15           or pedestrian within the lane or about to enter the  
16           lane if such overtaking and passing cannot be done  
17           safely within the lane;

18           (2) When preparing for a left turn at an intersection or  
19           into a private road or driveway; or

20           (3) When reasonably necessary to leave the bicycle lane to  
21           avoid debris or other hazardous conditions.



1           ~~(d)~~ (e) No person operating a bicycle shall leave a  
2 bicycle lane until the movement can be made with reasonable  
3 safety and then only after giving an appropriate signal in the  
4 event that any vehicle may be affected by the movement.

5           ~~(e)~~ (f) No person shall operate or ride a bicycle within  
6 a bicycle lane in any direction except that permitted of  
7 vehicular traffic traveling on the same side of the highway.  
8 Upon all bicycle paths of sufficient width and providing for  
9 two-way movement of bicycle traffic, bicycles proceeding in  
10 opposite directions shall pass each other to the right.

11           ~~(f)~~ (g) The director of transportation by rule and the  
12 counties by ordinance may with respect to bikeways under their  
13 respective jurisdictions restrict or prohibit the use of such  
14 bikeways by mopeds.

15           ~~(g)~~ (h) No person shall ride a bicycle equipped with a  
16 motor on any sidewalk. The counties may, by ordinance, post  
17 bicycle lanes and bicycle paths to prevent persons riding a  
18 bicycle equipped with a motor from using them."

19           SECTION 5. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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# S.B. NO. 2299

**Report Title:**

Bicycles; Traffic Safety; Right Turn Only Lanes

**Description:**

Permits a bicyclist to proceed through an intersection from a right turn only lane if they cannot safely merge into the thru traffic lane, provided they signal intention to merge left.

Permits a bicyclist to proceed in a right turn only lane when approaching an intersection, even if they do not intend to turn right, provided that they do not pass a stopped vehicle and that they exercise reasonable safety when passing a moving vehicle.

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

