
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to part VI to be appropriately
3 designated and to read as follows:

4 "§291C- Failure to yield right-of-way to mass transit
5 vehicle; penalty. (a) A person commits the offense of failure
6 to yield the right-of-way to a mass transit vehicle entering
7 traffic if the person does not yield the right-of-way to a mass
8 transit vehicle when:

- 9 (1) A yield sign as described in subsection (b) is
10 displayed on the back of the mass transit vehicle;
11 (2) The person is operating a vehicle that is overtaking
12 the mass transit vehicle from the rear; and
13 (3) The mass transit vehicle, after stopping to receive or
14 discharge passengers, is signaling an intention to
15 enter the traffic lane occupied by the person
16 operating the vehicle.

17 (b) If a yield sign is displayed on a mass transit
18 vehicle, it shall warn a person operating a motor vehicle



1 approaching the rear of a mass transit vehicle that the person
2 must yield when the vehicle is entering traffic. The yield sign
3 shall be illuminated by a flashing light when the vehicle is
4 signaling an intention to enter a traffic lane after stopping
5 for the purpose of receiving or discharging passengers.

6 The department of transportation shall adopt rules pursuant
7 to chapter 91 to determine:

8 (1) The message on the yield sign;

9 (2) Specifications for the size, shape, color, lettering,
10 and illumination of the sign; and

11 (3) Specifications for the placement of the sign on a mass
12 transit vehicle.

13 (c) This section shall not relieve a driver of a mass
14 transit vehicle from the duty to drive with due regard for the
15 safety of all persons using the roadway.

16 (d) Any person who violates this section shall be fined
17 not more than \$ _____.

18 (e) Not more than thirty days after the end of each fiscal
19 quarter, the state director of finance shall transmit to the
20 respective department of transportation of the county in which
21 the violation occurred, all fines collected under this section.



1 (f) All fines received under this section by the county
 2 department of transportation shall be used to purchase mass
 3 transit passes for homeless individuals; provided that the
 4 county department of transportation shall adopt rules pursuant
 5 to chapter 91 to carry out this subsection.

6 (g) For purposes of this section:
 7 "Homeless" means the same as defined under section 346-361.
 8 "Mass transit vehicle" means the same as defined under
 9 section 291-11.6."

10 SECTION 2. This Act does not affect rights and duties that
 11 matured, penalties that were incurred, and proceedings that were
 12 begun before its effective date.

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on January 1, 2014.

15

INTRODUCED BY:

Ray M. Lusk
John M. [Signature]
Richard J. Cusomilla
[Signature]
[Signature]
Cindy Evans
Celine K. [Signature]
[Signature]



H.B. NO. 1356

Report Title:

Mass Transit Vehicle Right of Way; Violation; Penalty

Description:

Establishes the offense of failure to yield right-of-way to mass transit vehicles and requires the Department of Transportation to develop a system of yield signage on mass transit vehicles. Directs all fines to be used to purchase mass transit passes for homeless individuals. Effective January 1, 2014.

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

