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# A BILL FOR AN ACT

RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES.

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

1           SECTION 1. Section 291C-53, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) The director of transportation by rules adopted in  
4 accordance with chapter 91, and the counties by ordinance, may  
5 regulate or prohibit the use of any controlled-access roadway or  
6 highway within their respective jurisdictions by any class or  
7 kind of traffic which is found to be incompatible with the  
8 normal and safe movement of traffic. Persons operating  
9 motorcycles which are otherwise permitted on a controlled-access  
10 roadway or highway shall be permitted to use any high occupancy  
11 vehicle lane designated on [~~sueh~~] the roadway or highway.

12           For the purposes of this subsection, "high occupancy  
13 vehicle lane" means a designated lane of a laned roadway where  
14 the use of [~~sueh~~] the designated lane is restricted to vehicles  
15 carrying at least [~~two~~] the minimum number of persons designated  
16 by the director of transportation as indicated on official signs  
17 and other official traffic-control devices, and to other  
18 vehicles as provided by rules adopted in accordance with chapter



1 91, or by county ordinance. Notwithstanding any law to the  
2 contrary, no person shall operate a neighborhood electric  
3 vehicle on any controlled-access roadway or highway."

4 SECTION 2. Section 291C-221, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§291C-221 Definitions. As used in this part unless the  
7 context otherwise requires:

8 "High occupancy vehicle" means a vehicle carrying at least  
9 ~~[two]~~ the minimum number of persons ~~[7]~~ designated by the  
10 director of transportation as indicated on official signs and  
11 other official traffic-control devices, and other vehicles as  
12 provided by rules adopted in accordance with chapter 91 or by  
13 county ordinance.

14 "High occupancy vehicle lane" means a designated lane of a  
15 laned roadway where the use of the designated lane is restricted  
16 to school buses, vehicles carrying at least ~~[two]~~ the minimum  
17 number of persons ~~[7]~~ designated by the director of  
18 transportation on official signs and other official traffic-  
19 control devices, and to other vehicles as provided by rules  
20 adopted in accordance with chapter 91, or by county ordinance."

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



1 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

High Occupancy Vehicle (HOV) Lanes

**Description:**

Allows the director of transportation and highway engineers to use evaluation of traffic demand and traffic volumes to establish occupancy requirements for high occupancy vehicle lanes. (SD1)

