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

3           " ~~[§] 291C-43 [§]~~ Overtaking a vehicle or bicycle on the  
4 left. The following rules shall govern the overtaking and  
5 passing of vehicles or bicycles proceeding in the same  
6 direction, subject to those limitations, exceptions, and special  
7 rules hereinafter stated:

8           (1) The driver of a vehicle overtaking another vehicle  
9           proceeding in the same direction shall pass to the  
10          left thereof at a safe distance and shall not again  
11          drive to the right side of the roadway until safely  
12          clear of the overtaken vehicle.

13          (2) The driver of a vehicle overtaking a bicyclist  
14          proceeding in the same direction shall allow at least  
15          a three-foot separation between the right side of the  
16          driver's vehicle, including all mirrors or other  
17          protuberances, and the left side of the bicyclist, and



1           shall not again drive to the right side of the roadway  
2           until safely clear of the overtaken bicycle.

3       ~~[(2)]~~ (3) Except when overtaking and passing on the right  
4           is permitted, the driver of an overtaken vehicle shall  
5           give way to the right in favor of the overtaking  
6           vehicle on audible signal and shall not increase the  
7           speed of the driver's vehicle until completely passed  
8           by the overtaking vehicle."

9           SECTION 2. Section 291C-47, Hawaii Revised Statutes, is  
10          amended to read as follows:

11           "**§291C-47 No-passing zones.** (a) The director of  
12          transportation is authorized to and the counties by ordinance  
13          with respect to highways under their respective jurisdictions  
14          may establish no-passing zones where overtaking and passing or  
15          driving to the left of the roadway would be especially hazardous  
16          and shall by appropriate signs or markings on the highway  
17          establish or indicate the beginning and the end of a no-passing  
18          zone and may place intermediate signs establishing or indicating  
19          the continued existence of a no-passing zone. Signs or markings  
20          placed by the director of transportation establishing the zone  
21          and signs or markings indicating the zone established by



1 ordinance shall be clearly visible to an ordinarily observant  
2 person and every driver of a vehicle shall obey the directions  
3 thereof.

4 (b) Where signs or markings are in place to define a no-  
5 passing zone as set forth in subsection (a) no driver shall at  
6 any time drive on the left side of the roadway within such no-  
7 passing zone or on the left side of any pavement striping  
8 designed to mark such no-passing zone throughout its length.

9 (c) This section does not apply to the driver of a vehicle  
10 passing a bicyclist moving in the same direction and in the same  
11 lane when such movement can be made in safety and without  
12 interfering with, impeding, or endangering other traffic  
13 lawfully using the highway. This subsection does not authorize  
14 driving to the left side of the center of roadway when  
15 prohibited under section 291C-45 or section 291C-46.

16 [~~e~~] (d) This section does not apply under the conditions  
17 described in section 291C-41(a)(2), nor to the driver of a  
18 vehicle turning left into or from an alley, private road, or  
19 driveway."

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



# H.B. NO. 191

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

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INTRODUCED BY:

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# H.B. NO. 191

**Report Title:**

Bicycle; Overtaking

**Description:**

Requires the driver of a vehicle overtaking a bicycle proceeding in the same direction to allow at least a three-foot separation between the right side of the driver's vehicle and the left side of the bicyclist. Allows for passing of a bicyclist in a no pass zone.

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

