S.B. NO. 2590

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], STARTING, AND**

4 **PROCEEDING AND SIGNALS ON STOPPING [AND TURNING], TURNING, AND**

5   **BICYCLE PROCEEDING"**

6   SECTION 2. Section 291C-81, Hawaii Revised Statutes, is

7 amended to read as follows:

8   **"§291C-81 Required position and method of turning at or**

9 **bicycle proceeding through intersections.** The driver of a

10 vehicle intending to turn at an intersection shall do so as

11 follows:

12   (1)   Right turns. Both the approach for a right turn and a

13   right turn shall be made as close as practicable to

14   the right-hand curb or edge of the roadway.

15   (2)   Left turns. The driver of a vehicle intending to turn

16   left at any intersection shall approach the

17   intersection in the extreme left-hand lane lawfully

1   available to traffic moving in the direction of travel

2   of such vehicle, and, after entering the intersection,

3   the left turn shall be made so as to leave the

4   intersection in a lane lawfully available to traffic

5   moving in such direction upon the roadway being

6   entered. Whenever practicable the left turn shall be

7   made in that portion of the intersection to the left

8   of the center of the intersection.

9   (3) Proceeding. The driver of a bicycle proceeding in a

10   right turn only lane may continue proceeding through

11   an intersection in the direction of travel if the

12   driver cannot with reasonable safety merge left into

13   the traffic lane prior to the intersection; provided

14   that the driver of the bicycle shall make a signal of

15   intention to turn left, which in this circumstance

16   shall indicate the intention to merge left into the

17   traffic lane as soon as practicable and continue

18   proceeding in the traffic lane.

19   [(3)] (4) The director of transportation and the counties

20   in their respective jurisdictions may cause official

21   traffic-control devices to be placed within or

1   adjacent to intersections and thereby require and

2   direct that a different course from that specified in

3   this section be traveled by vehicles turning at an

4   intersection, and when such devices are so placed no

5   driver of a vehicle shall turn a vehicle at an

6   intersection other than as directed and required by

7   such devices."

8   SECTION 3. Section 291C-84, Hawaii Revised Statutes, is

9 amended to read as follows:

10   "§291C-84 Turning **and bicycle proceeding** movements and

11 **required signals.** (a) No person shall turn a vehicle at an

12 intersection unless the vehicle is in proper position upon the

13 roadway as required in section 291C-81, or turn a vehicle to

14 enter a private road or driveway, or otherwise turn a vehicle

15 from a direct course or move right or left upon a roadway unless

16 and until such movement can be made with reasonable safety. No

17 person shall so turn any vehicle without giving an appropriate

18 signal in the manner hereinafter provided.

19   (b) [A] Except as provided in subsection (c), a signal of

20 intention to turn right or left when required shall be given

21 continuously during not less than the last one hundred feet

1 traveled by the vehicle before turning; provided that for a

2 bicycle or moped, such signal shall be given continuously during

3 not less than the last one hundred feet traveled by the bicycle

4 or moped before turning, and shall be given when the bicycle or

5 moped is stopped waiting to turn; and further provided that a

6 signal by hand and arm need not be given continuously by the

7 driver of a bicycle or moped if the hand is needed in the

8 braking, control, or operation of the bicycle or moped.

9   (c) The driver of a bicycle proceeding in a right turn

10 only lane may continue proceeding through an intersection in the

11 direction of travel if the driver cannot with reasonable safety

12 merge left into the traffic lane prior to the intersection;

13 provided that the driver of bicycle shall make a signal of

14 intention to turn left, which in this circumstance shall

15 indicate the intention to merge left into the traffic lane as

16 soon as practicable and continue proceeding in the traffic lane.

17   [(e)] (d) No person shall stop or suddenly decrease the

18 speed of a vehicle without first giving an appropriate signal in

19 the manner provided herein to the driver of any vehicle

20 immediately to the rear when there is opportunity to give such

21 signal.

1   [(d)] (e) The signals provided for in section 291C-85(b)

2   shall be used to indicate an intention to turn, change lanes, or

3   start from a parked position and shall not be flashed on one

4   side only on a parked or disabled vehicle, or flashed as a

5   courtesy or "do pass" signal to operators of other vehicles

6   approaching from the rear."

7   SECTION 4. Section 291C-145, Hawaii Revised Statutes, is

8   amended to read as follows:

9   "§291C-145 Riding on roadways and bikeways. (a) Every

10   person operating a bicycle upon a roadway at a speed less than

11   the normal speed of traffic moving in the same direction at such

12   time shall ride as near to the right-hand curb, on the edge of

13   the roadway, or on the shoulder off of the roadway as

14   practicable, exercising due care when passing a standing vehicle

15   or one proceeding in the same direction; except under any of the

16   following situations:

17   (1)   When preparing for a left turn at an intersection or

18   into a private road or driveway, except where

19   prohibited by official traffic-control devices;

20   (2)   When reasonably necessary to avoid conditions

21   (including but not limited to fixed or moving objects,

1   vehicles, bicycles, pedestrians, animals, surface

2   hazards, or substandard width lanes) that make it

3   unsafe to continue along the right-hand curb, on the

4   edge of the roadway, or on the shoulder off of the

5   roadway. For purposes of this section, a "substandard

6   width lane" is a lane that is too narrow for a bicycle

7   and a vehicle to travel safely side-by-side within the

8   lane; or

9   (3) When a roadway is designated and signposted to carry

10   traffic in one direction only and has two or more

11   marked traffic lanes, a person operating a bicycle may

12   ride as near to the left-hand curb, on the edge of the

13   roadway, or on the shoulder off of such roadway as

14   practicable.

15   (b) When approaching an intersection where right turns are

16 permitted and there is a right turn only lane, a driver of a

17 bicycle may proceed in the right turn only lane even if the

18 driver of the bicycle does not intend to turn right; provided

19 that the driver of the bicycle shall not pass a vehicle that is

20 stopped in the right turn only lane; provided further that the

21 driver of the bicycle shall exercise reasonable safety when

1 passing a vehicle proceeding in the same direction in the right

2 turn only lane.

3 [(b)] (c) Persons riding bicycles upon a roadway shall

4 ride in single file; provided that where the flow of traffic is

5 unimpeded, riding two abreast upon bicycle lanes and bicycle

6 paths shall be permitted when such lane or path is of sufficient

7 width to allow riding two abreast unless otherwise prohibited by

8 rule or ordinance adopted by the director of transportation or

9 by the counties.

10 [(c)] (d) Whenever a usable bicycle lane has been provided

11 on a highway, any person operating a bicycle at a speed less

12 than the normal speed of traffic moving in the same direction at

13 such time shall ride within such bicycle lane, except that such

14 person may move out of the lane under any of the following

15 situations:

16   (1)   When overtaking and passing another bicycle, vehicle,

17   or pedestrian within the lane or about to enter the

18   lane if such overtaking and passing cannot be done

19   safely within the lane;

20   (2)   When preparing for a left turn at an intersection or

21   into a private road or driveway; or

1   (3)   When reasonably necessary to leave the bicycle lane to

2   avoid debris or other hazardous conditions.

3   [(d)] (e) No person operating a bicycle shall leave a

4 bicycle lane until the movement can be made with reasonable

5 safety and then only after giving an appropriate signal in the

6 event that any vehicle may be affected by the movement.

7   [(e)] (f) No person shall operate or ride a bicycle within

8 a bicycle lane in any direction except that permitted of

9 vehicular traffic traveling on the same side of the highway.

10 Upon all bicycle paths of sufficient width and providing for

11 two-way movement of bicycle traffic, bicycles proceeding in

12 opposite directions shall pass each other to the right.

13   [(f)] (g) The director of transportation by rule and the

14 counties by ordinance may with respect to bikeways under their

15 respective jurisdictions restrict or prohibit the use of such

16 bikeways by mopeds.

17   [(g)] (h) No person shall ride a bicycle equipped with a

18 motor on any sidewalk. The counties may, by ordinance, post

19 bicycle lanes and bicycle paths to prevent persons riding a

20 bicycle equipped with a motor from using them."

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1   SECTION 5. Statutory material to be repealed is bracketed

2   and stricken. New statutory material is underscored.

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

4

INTRODUCED BY: _____

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 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.

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