
A BILL FOR AN ACT

RELATING TO THE STATEWIDE TRAFFIC CODE.

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

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

3 "PART II. [~~ACCIDENTS~~] COLLISIONS AND [~~ACCIDENT~~] COLLISION
4 REPORTS"

5 SECTION 2. Section 291C-12, Hawaii Revised Statutes, is
6 amended by amending its title and subsection (a) to read as
7 follows:

8 "§291C-12 [~~Accidents~~] Collisions involving death or
9 serious bodily injury. (a) The driver of any vehicle involved
10 in [~~an accident~~] a collision resulting in serious bodily injury
11 to or death of any person shall immediately stop the vehicle at
12 the scene of the [~~accident~~] collision or as close thereto as
13 possible but shall then forthwith return to and in every event
14 shall remain at the scene of the [~~accident~~] collision until the
15 driver has fulfilled the requirements of section 291C-14. Every
16 [~~such~~] stop shall be made without obstructing traffic more than
17 is necessary."



1 SECTION 3. Section 291C-12.5, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "§291C-12.5 [~~Accidents~~] Collisions involving substantial
5 bodily injury. (a) The driver of any vehicle involved in [~~an~~
6 ~~accident~~] a collision resulting in substantial bodily injury to
7 any person shall immediately stop the vehicle at the scene of
8 the [~~accident~~] collision or as close thereto as possible but
9 shall then forthwith return to and in every event shall remain
10 at the scene of the [~~accident~~] collision until the driver has
11 fulfilled the requirements of section 291C-14. Every [~~such~~]
12 stop shall be made without obstructing traffic more than is
13 necessary."

14 SECTION 4. Section 291C-12.6, Hawaii Revised Statutes, is
15 amended by amending its title and subsection (a) to read as
16 follows:

17 "§291C-12.6 [~~Accidents~~] Collisions involving bodily
18 injury. (a) The driver of any vehicle involved in [~~an~~
19 ~~accident~~] a collision resulting in bodily injury to any person
20 shall immediately stop the vehicle at the scene of the
21 [~~accident~~] collision or as close thereto as possible but shall



1 then forthwith return to and in every event shall remain at the
2 scene of the [~~accident~~] collision until the driver has fulfilled
3 the requirements of section 291C-14. Every [~~such~~] stop shall be
4 made without obstructing traffic more than is necessary."

5 SECTION 5. Section 291C-13, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§291C-13 [~~Accidents~~] Collisions involving damage to**
8 **vehicle or property.** The driver of any vehicle involved in [~~an~~
9 ~~accident~~] a collision resulting only in damage to a vehicle or
10 other property that is driven or attended by any person shall
11 immediately stop [~~such~~] the vehicle at the scene of the
12 [~~accident~~] collision or as close thereto as possible, but shall
13 forthwith return to, and in every event shall remain at, the
14 scene of the [~~accident~~] collision until the driver has fulfilled
15 the requirements of section 291C-14. Every [~~such~~] stop shall be
16 made without obstructing traffic more than is necessary. For
17 any violation under this section, a surcharge of up to \$100 may
18 be imposed, in addition to other penalties, which shall be
19 deposited into the trauma system special fund."

20 SECTION 6. Section 291C-14, Hawaii Revised Statutes, is
21 amended by amending subsections (a) and (b) to read as follows:



1 "(a) The driver of any vehicle involved in [~~an accident~~] a
2 collision resulting in injury to or death of any person or
3 damage to any vehicle or other property [~~which~~] that is driven
4 or attended by any person shall give the driver's name, address,
5 and the registration number of the vehicle the driver is
6 driving, and shall upon request and if available exhibit the
7 driver's license or permit to drive to any person injured in the
8 [~~accident~~] collision or to the driver or occupant of or person
9 attending any vehicle or other property damaged in the
10 [~~accident~~] collision and shall give [~~such~~] the information and
11 upon request exhibit [~~such~~] the license or permit to any police
12 officer at the scene of the [~~accident~~] collision or who is
13 investigating the [~~accident~~] collision and shall render to any
14 person injured in the [~~accident~~] collision reasonable
15 assistance, including the carrying, or the making of
16 arrangements for the carrying, of the person to a physician,
17 surgeon, or hospital for medical or surgical treatment if it is
18 apparent that [~~such~~] treatment is necessary, or if [~~such~~] the
19 carrying is requested by the injured person; provided that if
20 the vehicle involved in the [~~accident~~] collision is a bicycle,



1 the driver of the bicycle need not exhibit a license or permit
2 to drive.

3 (b) In the event that none of the persons specified is in
4 condition to receive the information to which they otherwise
5 would be entitled under subsection (a), and no police officer is
6 present, the driver of any vehicle involved in the [~~accident~~]
7 collision after fulfilling all other requirements of
8 section 291C-12, 291C-12.5, or 291C-12.6, and subsection (a) [~~of~~
9 ~~this section~~], insofar as possible on the driver's part to be
10 performed, shall forthwith report the [~~accident~~] collision to
11 the nearest police officer and submit thereto the information
12 specified in subsection (a)."

13 SECTION 7. Section 291C-15, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§291C-15 Duty upon striking unattended vehicle or other
16 property. The driver of any vehicle which collides with or is
17 involved in [~~an accident~~] a collision with any vehicle or other
18 property [~~which~~] that is unattended resulting in any damage to
19 the other vehicle or property shall immediately stop and shall
20 then and there either locate and notify the operator or owner of
21 [~~such~~] the vehicle or other property of the driver's name,



1 address, and the registration number of the vehicle the driver
2 is driving or shall attach securely in a conspicuous place in or
3 on [~~such~~] the vehicle or other property a written notice giving
4 the driver's name, address, and the registration number of the
5 vehicle the driver is driving and shall without unnecessary
6 delay notify the nearest police [~~office.~~] officer. Every [~~such~~]
7 stop shall be made without obstructing traffic more than is
8 necessary. For any violation under this section, a surcharge of
9 up to \$100 may be imposed, in addition to other penalties, which
10 shall be deposited into the trauma system special fund."

11 SECTION 8. Section 291C-16, Hawaii Revised Statutes, is
12 amended by amending its title and subsections (a) and (b) to
13 read as follows:

14 "**§291C-16 Immediate notice of [~~accident.~~] collision.** (a)
15 The driver of a vehicle involved in [~~an accident~~] a collision
16 resulting in injury or death of any person or total damage to
17 all property to an apparent extent of \$3,000 or more shall
18 immediately by the quickest means of communication give notice
19 of the [~~accident~~] collision to the nearest police [~~office.~~]
20 officer. If sent to the site of the [~~accident,~~] collision, a
21 responding police officer shall file a written report if it



1 appears at the time that the [~~accident~~] collision has resulted
2 in the injury or death of any person, or total damage to all
3 property to an apparent extent of \$3,000 or more.

4 (b) Whenever the driver of a vehicle is physically
5 incapable of giving an immediate notice of [~~an accident~~] a
6 collision as required in subsection (a) and there was another
7 occupant in the vehicle at the time of the [~~accident~~] collision
8 capable of doing so, [~~such~~] the occupant shall make or cause to
9 be given the notice not given by the driver."

10 SECTION 9. Section 291C-19, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[~~f~~] §291C-19 [~~]~~ **Garages to report.** The person in charge
13 of any garage or repair shop to which is brought any motor
14 vehicle [~~which~~] that shows evidence of having been involved in
15 [~~an accident~~] a collision of which written report must be made
16 by the driver as provided in chapter 287, or struck by any
17 bullet, shall report to the police department, within twenty-
18 four hours after the motor vehicle is received by the garage or
19 repair shop, giving the vehicle identification number,
20 registration number, and the name and address of the owner or
21 driver of the vehicle."



1 SECTION 10. Section 291C-20, Hawaii Revised Statutes, is
2 amended by amending its title and subsections (a) and (b) to
3 read as follows:

4 "[~~§~~291C-20~~]~~ Disclosure of traffic [~~accident~~] collision
5 reports. (a) Any traffic [~~accident~~] collision report required
6 under this chapter shall be made without prejudice to the person
7 required to report information concerning the [~~accident~~]
8 collision and shall be for the confidential use of the police
9 department, except that the department shall, upon request,
10 disclose [~~such~~] the record, to any person directly concerned in
11 the traffic [~~accident~~] collision or having a proper interest
12 therein, including:

- 13 (1) The driver or drivers involved, or the employer,
14 parent, or legal guardian thereof;
- 15 (2) The authorized representative of any person involved
16 in the [~~accident;~~] collision;
- 17 (3) Any person injured in the [~~accident;~~] collision;
- 18 (4) The owners of vehicles or property damaged in the
19 [~~accident;~~] collision;
- 20 (5) Any law enforcement agency; and
- 21 (6) Any court of competent jurisdiction.



1 (b) Any person who may sue because of death resulting from
2 [~~any such accident~~] a collision shall be deemed a party directly
3 concerned."

4 SECTION 11. Section 291C-163, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) This chapter shall not be deemed to prevent counties
7 with respect to streets and highways under their jurisdiction
8 from:

- 9 (1) Regulating or prohibiting stopping, standing, or
10 parking except as provided in section 291C-111;
- 11 (2) Regulating traffic by means of police officers or
12 official traffic-control devices;
- 13 (3) Regulating or prohibiting processions or assemblages
14 on the highways;
- 15 (4) Designating particular highways or roadways for use by
16 traffic moving in one direction;
- 17 (5) Establishing speed limits for vehicles in public
18 parks;
- 19 (6) Designating any highway as a through highway or
20 designating any intersection as a stop or yield
21 intersection;



- 1 (7) Restricting the use of highways;
- 2 (8) Regulating the operation and equipment of and
- 3 requiring the registration and inspection of bicycles,
- 4 including the requirement of a registration fee;
- 5 (9) Regulating or prohibiting the turning of vehicles or
- 6 specified types of vehicles;
- 7 (10) Altering or establishing speed limits;
- 8 (11) Requiring written [~~accident~~] collision reports;
- 9 (12) Designating no-passing zones;
- 10 (13) Prohibiting or regulating the use of controlled-access
- 11 roadways by any class or kind of traffic;
- 12 (14) Prohibiting or regulating the use of heavily traveled
- 13 streets by any class or kind of traffic found to be
- 14 incompatible with the normal and safe movement of
- 15 traffic;
- 16 (15) Establishing minimum speed limits;
- 17 (16) Designating hazardous railroad grade crossing;
- 18 (17) Designating and regulating traffic on play streets;
- 19 (18) Prohibiting pedestrians from crossing a roadway in a
- 20 business district or any designated highway except in
- 21 a crosswalk;



- 1 (19) Restricting pedestrian crossing at unmarked
2 crosswalks;
- 3 (20) Regulating persons propelling push carts;
- 4 (21) Regulating persons upon skates, coasters, sleds, and
5 other toy vehicles;
- 6 (22) Adopting and enforcing [~~such~~] temporary or
7 experimental regulations as may be necessary to cover
8 emergencies or special conditions;
- 9 (23) Adopting maximum and minimum speed limits on streets
10 and highways within their respective jurisdictions;
- 11 (24) Adopting requirements on stopping, standing, and
12 parking on streets and highways within their
13 respective jurisdictions except as provided in
14 section 291C-111;
- 15 (25) Prohibiting or regulating electric personal assistive
16 mobility devices on sidewalks and bicycle paths;
- 17 (26) Implementing a photo red light imaging detector system
18 pursuant to chapter 291J; and
- 19 (27) Adopting [~~such~~] other traffic regulations as are
20 specifically authorized by this chapter."



1 SECTION 12. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 13. This Act shall take effect upon its approval.



S.B. NO. 151
H.D. 1
C.D. 1

Report Title:

Statewide Traffic Code; Accident; Collision

Description:

Replaces the term "accident" with "collision" for purposes of certain provisions of the statewide traffic code. (CD1)

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

