

JAN 20 2022

A BILL FOR AN ACT

RELATING TO THE USE OF SIRENS BY EMERGENCY VEHICLES.

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

1 SECTION 1. The legislature finds that the use of sirens by
2 emergency vehicles can be necessary to alert other vehicles and
3 pedestrians that the emergency vehicle is exercising its
4 authority to disregard certain traffic laws, such as proceeding
5 through a red light or exceeding the posted speed limit. The
6 legislature further finds that some emergency response sectors
7 have determined that there should be flexibility to not engage
8 the siren in situations where it is unnecessary, such as
9 responding at night when the streets are empty of cars and
10 pedestrians. Further, the city and county of Honolulu has
11 expressed in its ordinances that the siren should be used "as
12 may be reasonably necessary". Despite this, some emergency
13 response sectors believe that the use of the siren is mandatory
14 in all circumstances. The legislature notes that the
15 unnecessary use of a siren contributes to noise pollution,
16 especially in heavily-congested residential areas.



1 Accordingly, the purpose of this measure is to provide
2 flexibility in the use of sirens by emergency response vehicles
3 in certain circumstances.

4 SECTION 2. Section 291C-26, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§291C-26 Authorized emergency vehicles.** (a) The driver
7 of an authorized emergency vehicle, when responding to an
8 emergency call or when in the pursuit of an actual or suspected
9 violator of the law or when responding to but not upon returning
10 from a fire alarm and vehicles used by police officers while in
11 the performance of a police function, may exercise the
12 privileges set forth in this section, but subject to the
13 conditions herein stated.

14 (b) The driver of an authorized emergency vehicle may:

15 (1) Park or stand irrespective of the provisions of this
16 chapter;

17 (2) Proceed past a red or stop signal or stop sign, but
18 only after slowing down as may be necessary for safe
19 operation;

20 (3) Exceed the maximum speed limits so long as the driver
21 does not endanger life or property;



1 (4) Disregard regulations governing direction of movement
2 or turning in specified directions;

3 (5) Drive on the shoulder and median of roadways; and

4 (6) Drive in controlled-access roadways, highways, and
5 facilities.

6 (c) The exemptions granted in subsection (b) to an
7 authorized emergency vehicle shall apply only when the vehicle
8 is making use of authorized audible and visual signals[~~—except~~
9 ~~as otherwise provided by county ordinance.~~]; provided that use
10 of an authorized audible signal shall not be required if it is
11 not reasonably necessary under the circumstances. This
12 subsection shall not apply to police vehicles.

13 (d) The foregoing provisions shall not relieve the driver
14 of an authorized emergency vehicle from the duty to drive with
15 due regard for the safety of all persons, nor shall those
16 provisions protect the driver from the consequences of the
17 driver's reckless disregard for the safety of others."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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S.B. NO. 2150

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

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INTRODUCED BY:

Karl Rhoads



S.B. NO. 2159

Report Title:

Emergency Vehicles; Siren Use

Description:

Allows emergency response vehicles to not use sirens if the siren is not reasonably necessary under the circumstances.

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