
A BILL FOR AN ACT

RELATING TO THE TRAFFIC CODE.

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

1 SECTION 1. The legislature finds that some traffic signals
2 controlled by vehicle detection devices are not able to detect
3 bicycles, motorcycles, or mopeds due to their size and weight.
4 This situation can create a dangerous environment for operators
5 of bicycles, motorcycles, and mopeds, who are forced to either
6 disregard the signal altogether or wait for another motor
7 vehicle to trigger the traffic signal.

8 The legislature further finds that several states have
9 already passed varying "dead red" laws, which allow operators of
10 bicycles, motorcycles, and mopeds to proceed through a red
11 traffic signal if they fail to trigger the traffic signal
12 sensor.

13 The purpose of this Act is to allow operators of bicycles,
14 motorcycles, and mopeds to proceed through an intersection on a
15 steady red signal during certain hours if the traffic signal is
16 controlled by a vehicle detection device that is inoperative due
17 to the size or composition of the bicycle, motorcycle, or moped.



1 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to part XIII to be appropriately
3 designated and to read as follows:

4 "§291C- Bicycle at intersection with inoperative
5 vehicle detection device. Notwithstanding any law to the
6 contrary, any person operating a bicycle between the hours of
7 11:00 p.m. and 5:00 a.m. may proceed directly through an
8 intersection on a steady red signal; provided that:

- 9 (1) The intersection, including a left turn only lane, is
10 controlled by traffic-control signals programmed to
11 change to a green signal after a vehicle detection
12 device recognizes the approaching vehicle, and the
13 vehicle detection device does not recognize the
14 arrival of the bicycle;
- 15 (2) The operator of the bicycle comes to a full and
16 complete stop at the intersection and waits over a
17 vehicle loop detector when visible in the pavement;
- 18 (3) The traffic-control signal, including the left turn
19 only signal, as appropriate, does not change to a
20 green signal after either the completion of one



1 traffic signal cycle or the time it would take for the
2 completion of one traffic signal cycle;

3 (4) No contraflow lane is in operation or being set up;
4 and

5 (5) The operator of the bicycle exercises due care and
6 proceeds with caution through the intersection,
7 yielding the right-of-way to any vehicle that has
8 entered the intersection from another highway or is
9 approaching so closely on the other highway as to
10 constitute an immediate hazard during the time when
11 the bicycle operator is moving across or within the
12 intersection."

13 SECTION 3. Chapter 291C, Hawaii Revised Statutes, is
14 amended by adding a new section to part XIV to be appropriately
15 designated and to read as follows:

16 **"§291C- _____ Motorcycle at intersection with inoperative**
17 **vehicle detection device. Notwithstanding any law to the**
18 **contrary, any person operating a motorcycle between the hours of**
19 **11:00 p.m. and 5:00 a.m. may proceed directly through an**
20 **intersection on a steady red signal; provided that:**



- 1 (1) The intersection, including a left turn only lane, is
2 controlled by traffic-control signals programmed to
3 change to a green signal after a vehicle detection
4 device recognizes the approaching vehicle, and the
5 vehicle detection device does not recognize the
6 arrival of the motorcycle;
- 7 (2) The operator of the motorcycle comes to a full and
8 complete stop at the intersection and waits over a
9 vehicle loop detector when visible in the pavement;
- 10 (3) The traffic-control signal, including the left turn
11 only signal, as appropriate, does not change to a
12 green signal after either the completion of one
13 traffic signal cycle or the time it would take for the
14 completion of one traffic signal cycle;
- 15 (4) No contraflow lane is in operation or being set up;
16 and
- 17 (5) The operator of the motorcycle exercises due care and
18 proceeds with caution through the intersection,
19 yielding the right-of-way to any vehicle that has
20 entered the intersection from another highway or is
21 approaching so closely on the other highway as to



1 constitute an immediate hazard during the time when
2 the motorcycle operator is moving across or within the
3 intersection."

4 SECTION 4. Chapter 291C, Hawaii Revised Statutes, is
5 amended by adding a new section to part XVI to be appropriately
6 designated and to read as follows:

7 "§291C- Moped at intersection with inoperative vehicle
8 detection device. Notwithstanding any law to the contrary, any
9 person operating a moped between the hours of 11:00 p.m. and
10 5:00 a.m. may proceed directly through an intersection on a
11 steady red signal; provided that:

12 (1) The intersection, including a left turn only lane, is
13 controlled by traffic-control signals programmed to
14 change to a green signal after a vehicle detection
15 device recognizes the approaching vehicle, and the
16 vehicle detection device does not recognize the
17 arrival of the moped;

18 (2) The operator of the moped comes to a full and complete
19 stop at the intersection and waits over a vehicle loop
20 detector when visible in the pavement;



1 (3) The traffic-control signal, including the left turn
2 only signal, as appropriate, does not change to a
3 green signal after either the completion of one
4 traffic signal cycle or the time it would take for the
5 completion of one traffic signal cycle;

6 (4) No contraflow lane is in operation or being set up;
7 and

8 (5) The operator of the moped exercises due care and
9 proceeds with caution through the intersection,
10 yielding the right-of-way to any vehicle that has
11 entered the intersection from another highway or is
12 approaching so closely on the other highway as to
13 constitute an immediate hazard during the time when
14 the moped operator is moving across or within the
15 intersection."

16 SECTION 5. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on June 30, 3000.



Report Title:

Traffic Code; Bicycles; Motorcycles; Mopeds; Intersection;
Inoperative Vehicle Detection Device

Description:

Allows operators of bicycles, motorcycles, and mopeds to proceed through an intersection on a steady red signal during certain hours if the traffic signal is controlled by a vehicle detection device that is inoperative due to the size or composition of the bicycle, motorcycle, or moped. Effective 6/30/3000. (HD2)

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