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# A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

1 PART I

2 SECTION 1. The legislature finds that Hawaii's roadways  
3 may present safety risks to individuals that are stopped on the  
4 shoulder or roadside due to a disabled vehicle. Although  
5 existing law requires motorists to slow down and move over when  
6 approaching certain emergency vehicles, the law allows unsafe  
7 passing for all other vehicles. According to the National  
8 Highway Traffic Safety Administration, nearly three thousand six  
9 hundred fatalities occurred nationwide between 2014 and 2022  
10 when ordinary drivers and passengers were stranded in or near  
11 their disabled vehicles.

12 The legislature further finds that, as of 2025, twenty-nine  
13 states have enacted comprehensive "move over" laws to cover all  
14 disabled vehicles displaying hazard warning lights or other  
15 recognized safety signals.

16 Accordingly, the purpose of this part is to require drivers  
17 of vehicles approaching stationary motor vehicles stopped on the



1 shoulder or roadside due to a traffic collision or vehicle  
2 maintenance or mechanical problem to slow down and make a lane  
3 change if necessary.

4 SECTION 2. Section 291C-27, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "**§291C-27 Emergency or stationary vehicle stopped for**  
7 **emergencies; duty of approaching vehicle.** (a) A driver of a  
8 vehicle that is approaching an emergency vehicle that is stopped  
9 for an emergency, investigation of a possible traffic violation,  
10 rendering assistance to a police officer, or other official  
11 duties, or any stationary vehicle that is stopped in any  
12 location, as indicated by the flashing emergency lights or  
13 warning signals, including vehicle hazard warning lights, road  
14 flares, traffic cones, caution signs, or any nonvehicular  
15 warning signs of the stopped emergency or stationary vehicle,  
16 shall:

17 (1) Slow down to a reasonable and prudent speed that is  
18 safe under the circumstances [~~of an emergency road~~  
19 ~~situation ahead~~]. Reasonableness and prudence shall  
20 take into account weather conditions, road conditions,  
21 and vehicular and pedestrian traffic in the immediate



1 area. If necessary, the driver shall come to a  
2 complete stop before making a lane change under  
3 paragraph (2); and

4 (2) Make a lane change into the adjacent lane if necessary  
5 and if it is safe to do so, or if possible, to two  
6 lanes over [~~which leaves~~] so as to leave one lane  
7 between the driver and the emergency or stationary  
8 vehicle.

9 (b) As used in this section, "emergency vehicle" means a  
10 police or fire department vehicle, ocean safety vehicle,  
11 emergency medical services vehicle, freeway service patrol  
12 vehicle, sheriff division vehicle, Hawaii emergency management  
13 agency vehicle, county emergency management vehicle, civil  
14 defense vehicle, department of transportation harbors division  
15 vehicle, department of land and natural resources division of  
16 conservation and resources enforcement vehicle, or a tow truck.

17 (c) Violation of subsection (a) shall not be subject to  
18 section 287-20, relating to furnishing proof of financial  
19 responsibility.

20 A violation of subsection (a) shall constitute a violation  
21 if no death or injury results from the violation.





1 (3) Every passenger in the bed or load-carrying area of  
2 the vehicle is seated on the floor and does not  
3 attempt to control unlash cargo.

4 (b) Notwithstanding subsection (a), no operator of any  
5 pickup truck shall operate the vehicle with a passenger seated  
6 in the bed or load-carrying area of the vehicle:

7 (1) On a roadway with posted speed limits of forty-six  
8 miles per hour or higher; or

9 (2) On a roadway with three or more lanes traveling in the  
10 same direction.

11 [~~(b)~~] (c) This section shall not apply to [persons]:

12 (1) Persons or corporations operating a business or  
13 businesses that serve the public, who or which are  
14 subject to the jurisdiction, supervision, and  
15 regulations prescribed by state agencies or  
16 departments nor to their agents or employees when  
17 engaged in the business of such persons or  
18 corporations[.];

19 (2) Persons operating a pickup truck for the  
20 transportation of agricultural or farm workers;



- 1        (3) Law enforcement, fire, and emergency medical services  
2        vehicles engaged in official duties; and  
3        (4) Military vehicles engaged in official operations.

4        [~~(e)~~] (d) No operator of any pickup truck [~~may~~] shall  
5        operate the vehicle with any passenger [~~twelve~~] under eighteen  
6        years of age [~~or under~~] in the bed or load-carrying area of the  
7        vehicle, unless one of the following applies:

- 8            (1) An emergency exists that threatens the life of the  
9            passenger being transported in the bed or load-  
10          carrying area of the vehicle; or  
11          (2) The vehicle is being operated in parades, caravans, or  
12          exhibitions [~~which~~] that are officially authorized or  
13          otherwise permitted by law.

14        [~~(d)~~] (e) Any person who violates this section shall be  
15        subject to a fine of \$25 for each violation; provided that any  
16        person who violates subsection [~~(e)~~] (d) shall be subject to a  
17        fine of \$50 for each separate violation.

18        [~~(e)~~] (f) As used in this section, "pickup truck" means a  
19        light truck that has a cab on the front part of the vehicle  
20        covering the driver's seat and an open bed behind the cab  
21        designed primarily to transport property or cargo, with sides



1 and a tailgate to retain the contents within the confines of the  
2 bed, and has a maximum gross vehicle weight rating (GVWR) of  
3 11,000 pounds or less."

4 PART III

5 SECTION 4. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8 SECTION 5. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

Stationary Vehicles; Traffic Safety; Duty of Approaching Vehicle; Traffic Violations; Pickup Trucks; Passenger Restrictions

**Description:**

Part I: Requires drivers of vehicles approaching stationary motor vehicles stopped on the shoulder or roadside due to a traffic collision or vehicle maintenance or mechanical problem to slow down and make a lane change if necessary. Part II: Prohibits the operation of a pickup truck with a passenger seated in the bed or load-carrying area on roadways with posted speed limits of forty-six miles per hour or higher and roadways with three or more lanes traveling in the same direction. Provides certain exemptions from passenger restrictions. Increases the minimum age to ride in the bed or load-carrying area of a pickup truck while in operation from twelve years of age to eighteen years of age. Effective 7/1/3000. (HD1)

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

