
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 the State'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.



1 Accordingly, the purpose of this part is to require drivers
2 approaching stationary vehicles displaying warning signals to
3 slow down and make a lane change if possible and safe to do so.

4 SECTION 2. Section 291C-27, Hawaii Revised Statutes, is
5 amended by amending its title and subsection (a) to read as
6 follows:

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

19 ~~(1) Slow] slow down [to a reasonable and prudent speed~~
20 ~~that is safe under the circumstances of an emergency~~
21 ~~road situation ahead. Reasonableness and prudence~~



1 ~~shall take into account weather conditions, road~~
2 ~~conditions, and vehicular and pedestrian traffic in~~
3 ~~the immediate area. If necessary, the driver shall~~
4 ~~come to a complete stop before making a lane change~~
5 ~~under paragraph (2); and~~
6 ~~(2) Make a lane change into the adjacent lane if necessary~~
7 ~~and if it is safe to do so, or if possible, to two~~
8 ~~lanes over which leaves one lane between the driver~~
9 ~~and the emergency vehicle.] and, if it is possible and~~
10 ~~safe to do so, make a lane change to an adjacent lane;~~
11 ~~provided that the driver shall come to a complete stop~~
12 ~~if necessary."~~

PART II

14 SECTION 3. Section 291-14, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§291-14 Pickup trucks; passenger restrictions.** (a) No
17 person shall stand in the bed or load-carrying area of any motor
18 vehicle commonly known as a pickup truck while the vehicle is in
19 operation. No operator of any pickup truck shall operate the
20 vehicle with a passenger seated in the bed or load-carrying area
21 of the vehicle unless:



- 1 (1) There is no seating available in the cab of the
- 2 vehicle;
- 3 (2) The side racks of the vehicle are securely attached
- 4 and the tailboard or tailgate is securely closed; and
- 5 (3) Every passenger in the bed or load-carrying area of
- 6 the vehicle is seated on the floor and does not
- 7 attempt to control unlashd cargo.

8 (b) Notwithstanding subsection (a), no operator of any
 9 pickup truck shall operate the vehicle with a passenger seated
 10 in the bed or load-carrying area of the vehicle on a roadway
 11 with:

- 12 (1) Posted speed limits of forty-six miles per hour or
- 13 higher; or
- 14 (2) Three or more lanes traveling in the same direction.

15 [~~(b)~~] (c) This section shall not apply to [persons]:
 16 (1) Persons or corporations operating a business or
 17 businesses that serve the public, who or ~~[which]~~ that
 18 are subject to the jurisdiction, supervision, and
 19 regulations prescribed by state agencies or
 20 departments nor to their agents or employees when



1 engaged in the business of [~~such~~] these persons or
2 corporations[~~;~~];

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

5 (3) Law enforcement, fire, and emergency medical services
6 vehicles engaged in official duties; and

7 (4) Military vehicles engaged in official operations.

8 [~~(c)~~] (d) No operator of any pickup truck [~~may~~] shall
9 operate the vehicle with any passenger [~~twelve~~] under eighteen
10 years of age [~~or under~~] in the bed or load-carrying area of the
11 vehicle, unless one of the following applies:

12 (1) An emergency exists that threatens the life of the
13 passenger being transported in the bed or load-
14 carrying area of the vehicle; or

15 (2) The vehicle is being operated in parades, caravans, or
16 exhibitions [~~which~~] that are officially authorized or
17 otherwise permitted by law.

18 [~~(d)~~] (e) Any person who violates this section shall be
19 subject to a fine of \$25 for each violation; provided that any
20 person who violates subsection [~~(c)~~] (d) shall be subject to a
21 fine of \$50 for each separate violation.



Report Title:

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

Description:

Part I: Requires drivers approaching stationary vehicles displaying warning signals to slow down and make a lane change if possible and safe to do so and come to a complete stop 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. (SD1)

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