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# A BILL FOR AN ACT

RELATING TO INJURIOUS MATERIALS.

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

1           SECTION 1. The legislature recognizes that certain  
2 irresponsible parties have been intentionally leaving nails,  
3 screws, and other items on roads on the island of Oahu,  
4 particularly in Kaimuki and Makakilo. These injurious materials  
5 have caused severe damage to the tires of motor vehicles. The  
6 legislature finds it necessary to ensure the safety of drivers  
7 and pedestrians by deterring this behavior.

8           Accordingly, the purpose of this Act is to prohibit  
9 placing, dropping, or leaving destructive or injurious materials  
10 on highways, lanes, roads, streets, and alleys.

11           SECTION 2. Chapter 291C, Hawaii Revised Statutes, is  
12 amended by adding a new section to part XII to be appropriately  
13 designated and to read as follows:

14           "§291C-           Destructive or injurious materials;  
15 prohibitions. (a) No person shall intentionally or knowingly  
16 place or drop upon any part of a highway, lane, road, street, or  
17 alley any tack, bottle, wire, glass, nail, screw, or other



1 article that may damage or injure any person, vehicle, or animal  
2 traveling along or upon the highway, lane, road, street, or  
3 alley, unless the person is authorized to do so by an  
4 appropriate governmental agency.

5 (b) Any person who drops or permits to be dropped or  
6 thrown upon any highway, lane, road, street, or alley any  
7 destructive or injurious material shall immediately remove the  
8 material from the highway, lane, road, street, or alley.

9 (c) Any person authorized to remove a wrecked or damaged  
10 vehicle from a highway, lane, road, street, or alley shall  
11 remove any glass or destructive or injurious material dropped  
12 from the vehicle upon the highway, lane, road, street, or alley.

13 (d) No person shall place any destructive or injurious  
14 material in or upon a highway, lane, road, street, or alley  
15 unless authorized to do so by an appropriate governmental  
16 agency.

17 (e) A person convicted of violating of this section shall  
18 be guilty of a violation; provided that if:

19 (1) The offense was committed within one year of a prior  
20 conviction for a motor vehicle or traffic offense, the



1           person shall be guilty of a petty misdemeanor, unless  
2           paragraph (3) applies;

3           (2) The offense was committed within one year of two or  
4           more prior convictions for motor vehicle or traffic  
5           offenses, the person shall be guilty of a misdemeanor;  
6           and

7           (3) The person violated subsection (a) and did so with  
8           intent to cause physical harm or damage to any person,  
9           vehicle, or animal, the person shall be guilty of a  
10           misdemeanor."

11           SECTION 3. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14           SECTION 4. New statutory material is underscored.

15           SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

Traffic Code; Destructive or Injurious Materials; Roads;  
Highways; Penalties

**Description:**

Prohibits placing, dropping, or leaving destructive or injurious materials on highways, lanes, roads, streets, and alleys. Establishes penalties. 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.*

