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

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

15           Accordingly, the purpose of this Act is to require drivers  
16 of vehicles approaching stationary motor vehicles stopped in any



1 location on the roadway, shoulder, or roadside to slow down and  
2 make a lane change if necessary.

3 SECTION 2. Section 291C-27, Hawaii Revised Statutes, is  
4 amended by amending its title and subsection (a) to read as  
5 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 on the roadway, shoulder, or roadside as indicated by  
13 the flashing emergency lights or warning signals, including  
14 vehicle hazard warning lights, road flares, traffic cones,  
15 caution signs, or any nonvehicular warning signs of the stopped  
16 emergency or stationary vehicle, 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,~~



1           ~~and vehicular and pedestrian traffic in the immediate~~  
2           ~~area.]~~ speed that shall not exceed:

3           (A) Twenty miles per hour below the maximum speed  
4           limit on roadways with a speed limit greater than  
5           or equal to thirty miles per hour; and

6           (B) Five miles per hour when the posted speed limit  
7           is less than thirty miles per hour.

8           If necessary, the driver shall come to a complete stop  
9           before making a lane change under paragraph (2); and

10          (2) Make a lane change into the adjacent lane if necessary  
11          and if it is safe to do so, or if possible, to two  
12          lanes over which leaves one lane between the driver  
13          and the emergency vehicle."

14          SECTION 3. Statutory material to be repealed is bracketed  
15          and stricken. New statutory material is underscored.

16          SECTION 4. This Act shall take effect on January 1, 2027.



S.B. NO. 2026  
S.D. 1

**Report Title:**

Traffic Safety; Duty of Approaching Vehicle; Stationary Vehicle

**Description:**

Requires drivers of vehicles approaching stationary motor vehicles stopped in any location on the roadway, shoulder, or roadside to slow down and make a lane change if necessary.  
(SD1)

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