

ACT 93

H.B. NO. 2349

A Bill for an Act Relating to Authorized Emergency Vehicles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 291C-26, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§291C-26]]~~ **Authorized emergency vehicles.** (a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm~~[-]~~ and vehicles used by police officers while in the performance of a police function, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

- (1) Park or stand irrespective of the provisions of this chapter;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the maximum speed limits so long as the driver does not endanger life or property;
- (4) Disregard regulations governing direction of movement or turning in specified directions~~[-]~~;
- (5) Drive on the shoulder and median of roadways; and
- (6) Drive in controlled-access roadways, highways, and facilities.

(c) The exemptions granted in this ~~[section]~~ subsection (b)(5) and (6) to an authorized emergency vehicle shall apply only when the vehicle is making use of authorized audible and visual signals, except as otherwise provided by county ordinance. This subsection shall not apply to police motorcycles.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall ~~[such]~~ those provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 31, 2002.)