

ACT 42

S.B. NO. 1509

A Bill for an Act Relating to High Occupancy Vehicle (HOV) Lanes.

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

SECTION 1. Section 291C-53, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The director of transportation by rules adopted in accordance with chapter 91, and the counties by ordinance, may regulate or prohibit the use of any controlled-access roadway or highway within their respective jurisdictions by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic. Persons operating motorcycles which are otherwise permitted on a controlled-access roadway or highway shall be permitted to use any high occupancy vehicle lane designated on such roadway or highway. For the purposes of this subsection, “high occupancy vehicle lane” means a designated lane of a laned roadway where the use of such designated lane is restricted to vehicles carrying at least ~~two~~ the minimum number of persons designated by the director of transportation as indicated on official signs and other official traffic-control devices, and to other vehicles as provided by rules adopted in accordance with chapter 91, or by county ordinance. Notwithstanding any law to the contrary, no person shall operate a neighborhood electric vehicle on any controlled-access roadway or highway.”

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SECTION 2. Section 291C-221, Hawaii Revised Statutes, is amended to read as follows:

“**§291C-221 Definitions.** As used in this part unless the context otherwise requires:

“High occupancy vehicle” means a vehicle carrying at least ~~[two]~~¹ the minimum number of persons[;] designated by the director of transportation as indicated on official signs and other official traffic-control devices, and other vehicles as provided by rules adopted in accordance with chapter 91 or by county ordinance.

“High occupancy vehicle lane” means a designated lane of a laned roadway where the use of the designated lane is restricted to school buses, vehicles carrying at least ~~[two]~~ the minimum number of persons[;] designated by the director of transportation on official signs and other official traffic-control devices, and to other vehicles as provided by rules adopted in accordance with chapter 91, or by county ordinance.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on July 1, 2007.

(Approved April 26, 2007.)

Note

1. So in original.