

ACT 82

S.B. NO. 714

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

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

SECTION 1. Hawaii's highways are necessary for our people's transportation. Increased travel time decreases time at home or at work, reducing people's quality of life and work effectiveness. As the population grows, especially on the west side of Oahu, the need for travel lanes will only increase.

High occupancy vehicle lanes and zipper lanes provide an incentive to carpool, effectively reducing the number of cars on the road. However, many incidents, including accidents, car crashes, and stalled vehicles, cause lane closures. This reduction in available travel lanes slows traffic significantly. Studies have shown that for each minute an incident remains in a lane, the backlog of traffic increases by ten minutes. Therefore, allowing the use of the high occupancy vehicle lanes and zipper lanes by any motor vehicle, regardless of the number of passengers, when an incident occurs would be the most effective use of lanes for all citizens.

The purpose of this Act is to mitigate traffic and ensure the most effective use of all travel lanes.

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

“§291C- High occupancy vehicle lanes; emergencies. (a) Notwithstanding any law to the contrary, when a roadway includes one or more lanes for traffic moving in the same direction that include a high occupancy vehicle lane or zipper lane, and at least one lane other than a high occupancy vehicle lane or zipper lane is closed by law enforcement officers or emergency services personnel because of a traffic incident or accident, any motor vehicle, regardless of the number of persons carried, that can safely enter the high occupancy vehicle lane or zipper lane shall, subject to subsection (b), be allowed to use the high occupancy vehicle lane or zipper lane.

(b) For the purposes of subsection (a), the director of transportation shall have the authority to declare an emergency to open the use of high occupancy

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vehicle lanes and zipper lanes to all motor vehicles regardless of the number of persons carried.

(c) For the purposes of this section:

“Accident” means an unplanned event involving a motor vehicle, resulting in damage to one or more motor vehicles, property damage, or personal injury.

“Incident” includes any accident or issue that disrupts the flow of traffic.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect on July 1, 2009.

(Approved June 1, 2009.)

Note

1. Edited pursuant to HRS §23G-16.5.