

HONOLULU COMPLETE

# TRAFFIC CODE

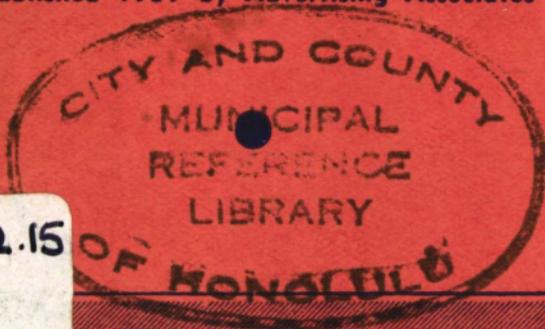
1939

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the regulation of traffic.

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*Honolulu Ordinances, etc.*

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## FOREWORD

This publication contains the complete Traffic Code of the City and County of Honolulu as passed by the Mayor and Board of Supervisors. It also contains the Territorial Laws which relate to Traffic.

This Traffic Code has been revised and extended to meet present day traffic conditions, by the Mayor of the City and County of Honolulu and the Board of Supervisors. They were assisted and advised in this work by the Honolulu Traffic Safety Commission. Every driver of an automobile on Oahu is indebted to this public spirited commission and its personnel for the untiring effort and the cooperation that has been extended by them in order that the Traffic Code might be the thorough and easily understandable work that it is.

It might truthfully be said that "To be a safe driver it is necessary to know the Traffic Laws," and it is the belief of the Traffic Safety Commission that if every person on the Island of Oahu will study the Traffic Code and observe the rules as they relate to those persons that a great step toward the prevention of traffic accidents will have been taken.

Every effort has been made to make the Traffic Code which you find in this publication clear and understandable, but if you find difficulty over some particular phrase or meaning in the code it is suggested that you refer your problem to the Police Authorities in person or by writing to the Honolulu Traffic Safety Commission.

It has been possible to publish this code and place it in your hands in its present form at the very nominal price which you paid for it because of the cooperation of merchants who have supported it with paid advertising.

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# Just a Word

Regarding Your New Traffic Code

from

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**Mayor, City and County of Honolulu**

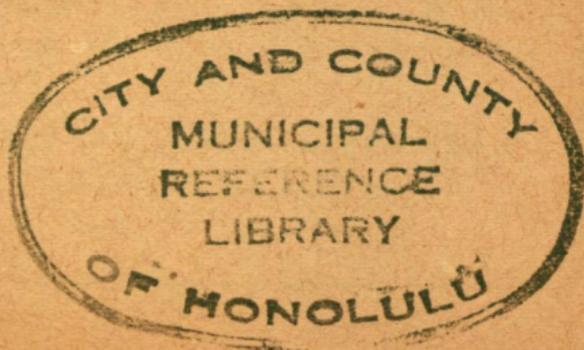
The new Traffic Code as presented in this booklet represents a great deal of work and the expenditure of a considerable sum of money for research and compilation. Every effort has been extended to make the code complete and easily understandable.

As a driver of an automobile or even as a pedestrian you owe it to yourself and to the community in general to study the code and observe to the letter the few simple rules as laid down by it.

Not only should you keep your car in a legal mechanical condition as required by law, but it is hoped that you will at all times show the consideration and thought for the safety of others that you would have others show you.

Honolulu is noted throughout the world as a city of courtesy. The mark of courtesy on the highway is the mark of a good driver.

Your observance of the Traffic Code will greatly assist in the eliminating of traffic accidents.



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# ORDINANCE NO. 786

BILL NO. 8, 1939

AN ORDINANCE TO BE KNOWN AS "THE TRAFFIC CODE OF THE CITY AND COUNTY OF HONOLULU," REGULATING TRAFFIC AND REPEALING ORDINANCE NO. 553, ALL AMENDMENTS THERETO, ORDINANCE NO. 517, NO. 617, NO. 620, NO. 670, NO. 700, NO. 711, NO. 718, NO. 731, NO. 732, NO. 746, NO. 750 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Be It Ordained by the People of the City and County of Honolulu:

## ARTICLE 1. WORDS AND PHRASES DEFINED.

**Section 1.01 Definitions of Words and Phrases.**—The following words and phrases when used in this Ordinance shall, for the purposes thereof, have the meanings respectively ascribed to them in this Article, unless it shall be apparent from the context that a different meaning is intended.

### Section 1.02. Vehicles, Traffic, Etc. Defined.

**a. Vehicle.**—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**b. Motor Vehicle.**—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated on rails.

**c. Street Car.**—A car other than a railroad train for transporting persons or property and operated exclusively upon rails or tracks within a municipality.

**d. Bus or Motor Bus.**—A vehicle designed to carry passengers for compensation, and being operated over a fixed route between fixed termini upon a fixed schedule, under a permit issued by the Public Utilities Commission.

**e. Authorized Emergency Vehicle.**—Vehicles of the Fire Department, Police Vehicles, and such Ambulances and Emergency Vehicles of Government Departments or Public Service Corporations as are

designated or authorized by the Board of Supervisors.

**f. Reconstructed Vehicle.**—Any vehicles which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models and types, or which if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles or other services.

**g. Traffic.**—Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances, either singly or together, while using any street for the purposes of travel.

**h. Right-of-way.**—The privilege of the immediate priority of use of the roadway.

**i. Stop.**—When required means complete cessation of movement.

**j. Stop or Stopping.**—When prohibited means any cessation of movement of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

**k. Standing.**—Any stopping of a vehicle, whether occupied or not.

**l. Parking.**—The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

**m. Public Holidays.**—Shall be construed to mean all legal holidays now existing, or such as may be subsequently specifically proclaimed by the Governor of the Territory, and all Saturdays after the hour of 1:00 P. M.

### **Section 1.03. Persons, Pedestrians, Etc. Defined.**

**a. Person.**—Every natural person, firm, co-partnership, association, or corporation.

**b. Operator.**—Any person who is in actual physical control of a motor vehicle.

**c. Driver.**—The rider, driver or leader of any animal, or any person who pushes, draws, propels, operates or is in actual physical control of any vehicle.

**d. Pedestrian.**—Any person afoot, in an invalid chair, or in a vehicle propelled by a person afoot.

**e. Police Officer.**—Every officer of the Honolulu Police Department and any other officer authorized by the Chief of Police to direct or regulate traffic or to make arrests for violations of traffic regulations.

#### **Section 1.04. Streets, Districts, Etc. Defined.**

**a. Street or Highway.**—The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

**a (1). Alley.**—A narrow highway primarily devoted to the use of non-passenger vehicles carrying goods or merchandise to or from premises having service entrances located on such highway.

**b. Roadway.**—That portion of a street or highway between the regularly established curb lines or that part improved, designed or ordinarily used for vehicular traffic.

**c. Through Street.**—Any street or highway, or part thereof, at which signs require every operator to bring his vehicle to a full stop before entering or crossing such street or highway, except when traffic is controlled by police officers or official traffic control signals.

**d. Private Road or Driveway.**—Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**e. Sidewalk.**—That portion of a street between the curb lines, or the lateral lines of a roadway, and the

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adjacent property lines intended for the use of pedestrians.

**f. Crosswalk.**—That portion of a roadway, whether marked or unmarked, ordinarily included within the prolongation of curb and property lines at an intersection, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**g. Intersection.**—The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

**h. Safety Zone.**—The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**i. Passenger Zone.**—Shall mean that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

**j. Freight Zone.**—Shall mean that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of materials.

**k. Officially Designated Traffic Control Devices.**—All signs, signals, markings and devices, not inconsistent with this Ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**l. Official Traffic Control Signals.**—Any device using lights, bells, whistles, gongs or words, or any combination thereof, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**m. Business District.**—The territory contiguous to and including a highway when 50% or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business. For the purposes of this Ordinance, all streets or highways within the grounds of City and County institutions shall be deemed to be within a business district.

**n. Residence District.**—The territory contiguous to and including a highway, not comprising a business district, when the territory fronting on such highway for a distance of not less than one-quarter of a mile is occupied by dwelling houses or by business structures which are not more than an average distance of one hundred (100) feet apart.

**o. The Congested District.**—That portion of the City and County of Honolulu defined and bounded as follows:

Beginning at a point on the makai line of North King street, where the ewa line of Liliha Street, extended, intersects it, thence

Mauka along the ewa line of Liliha Street to the mauka line of Vineyard Street; thence

Waikiki along the mauka line of Vineyard Street to the waikiki line of Punchbowl Street; thence

Makai along the waikiki line of Punchbowl Street to the mauka line of South Beretania Street; thence

Waikiki along the mauka line of South Beretania Street to the waikiki line of Alapai Street; thence

Makai along the waikiki line of Alapai Street to the makai line of South King Street; thence

Ewa along the makai line of South King Street to the waikiki line of South Street; thence

Makai along the waikiki line of South Street to the makai line of Ala Moana; thence

Ewa along the makai line of Ala Moana to the ewa line of Fort Street; thence

Mauka along the ewa line of Fort Street to the makai line of Queen Street; thence

Ewa along the makai line of Queen Street to the ewa line of Iwilei Road; thence

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Mauka along the ewa line of Iwilei Road to the makai line of North King Street; thence

Ewa along the makai line of North King Street to the point of beginning.

## **ARTICLE 2. ADMINISTRATION.**

**Section 2.01. Board of Supervisors to Exercise Certain Administrative Functions by Resolution.**—The Board of Supervisors shall by resolution:

a. Determine and designate the type of all official traffic control devices, as defined:

b. Designate and authorize what vehicles of municipal departments and public service corporations shall be Authorized Emergency Vehicles, other than vehicles of the Fire Department, Police Vehicles and Ambulances;

c. Determine and designate all safety zones, quiet zones, play streets, traffic lanes, crosswalks, loading zones, bus stops, angle parking areas, through streets, one-way streets, stop intersections, and designate the type of markings to be placed and maintained for the identification of such areas;

d. Determine those intersections at which drivers of vehicles shall not make a right, left or "U" turn, and designate the place at which proper signs at such intersections shall be erected;

e. Designate markers, buttons, or signs to be placed within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections;

f. Determine and designate certain curb markings to indicate no parking or standing.

**Section 2.02. Department of Public Works to Erect All Signs, Signals, Etc.**—All official traffic control devices, authorized by resolution of the Board of Supervisors, shall be placed, erected and maintained by the Department of Public Works.

**Section 2.03. Traffic Safety Commission.**

a. There is hereby established a Traffic Safety Commission to serve without compensation, consisting of one representative each from the Chief Engineer's Office, the City and County Attorney's Office, and such number of other City and County officers and representatives of unofficial bodies as may be deter-

mined and appointed by the Mayor with the approval of the Board. The chairman of the commission shall be appointed by the Mayor, with the approval of the Board, and may be removed in the manner provided by law.

b. It shall be the duty of the Traffic Safety Commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters and to recommend to the Board of Supervisors and other City and County officials, ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.

### **ARTICLE 3. ENFORCEMENT.**

**Section 3.01. Police to Direct Traffic.**—It shall be the duty of the Honolulu Police Department to enforce the provisions of this Ordinance. Police Officers are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this Ordinance.

**Section 3.02. Misdemeanor to Violate Traffic Regulations.**—It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this Ordinance.

**Section 3.03. Public Employees to Obey Traffic Regulations.**—The provisions of this Ordinance shall apply to the operator of any vehicle owned by or used in the service of the United States Government, the Territory of Hawaii and the City and County of Honolulu, and it shall be unlawful for any driver or operator to violate any of the provisions of this Ordinance, except as

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otherwise permitted in this Ordinance or by any other Ordinance of the City and County of Honolulu or by any Federal or Territorial law.

**Section 3.04. Exemptions to Emergency Vehicles.**—The provisions of this Ordinance regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, as defined in Section 1.02, paragraph e hereof; to a police officer, in the performance of his duty, operating a privately owned vehicle, equipped with a distinguishing sound signal device approved by the Chief of Police; to a physician or surgeon operating a privately owned vehicle which bears a distinguishing mark approved by the Chief of Police, when responding to or in actual attendance on an emergency call; except as follows:

A driver when operating any such vehicle in an emergency except when otherwise directed by a police officer may—

a. Park or stand notwithstanding the provisions of this Ordinance;

b. While continuously sounding a siren or approved sound signal device,

1. Proceed past a red stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

2. Exceed the speed limit so long as he does not endanger life or property;

3. Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property;

Provided, however, that the foregoing exemptions shall not protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

**Section 3.05. Drivers of Privately Owned Vehicles Not to Sound Continuously a Sounding Device.** It shall be unlawful for the driver of any vehicle to sound continuously a device except under the emergency conditions specifically set forth in Section 3.04.

## **ARTICLE 4. TRAFFIC SIGNS AND SIGNALS**

**Section 4.01. Traffic Regulations in Force at All Times Though Traffic Signs or Signals are Absent.**—Except

where otherwise expressly provided, the provisions of this Ordinance shall be in force at all times and places; provided, however, that when the use of signs, signals, marks or other traffic control devices is expressly required by any section of this Ordinance to be placed at the particular locations involved to give notice of the existence and application or operation of any such sections, there shall be no prosecution for violation of such section, unless at the time and place of the alleged violation such signs, signals, marks or other official traffic control devices were placed in accordance with the requirement of such section and were sufficiently legible or understandable to a person of ordinary understanding or observation.

**Section 4.02. Obedience to Traffic Signs and Signals.—**The driver of any vehicle, the motorman of any street car and any pedestrian shall obey the instructions of any official traffic sign, signal or other official traffic control device, placed or erected in accordance with the provisions of this Ordinance, unless otherwise directed by a police officer, subject, however, to the exemptions granted the driver of an emergency vehicle in Section 3.04.

**Section 4.03. Traffic Control Signal Legend.—**Whenever traffic at an intersection is controlled by traffic signals, exhibiting the words "Go", "Caution" or "Stop", or exhibiting differently colored lights successively, the following colors only shall be used, and said terms and lights shall indicate the following:

**a. Green alone or "Go".**

(1). Vehicles and street cars facing the signal may proceed straight through or turn right or left as indicated by the green arrow unless a sign at such intersection prohibits either such turn. But vehicles and street cars shall yield the right of way to other vehicles and street cars lawfully within the intersection and to pedestrians lawfully within the crosswalk at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

**b. Yellow alone or "Caution", when shown following the Green or "Go" Signal.**

(1) Vehicles and street cars facing the signal shall stop before entering the nearest crosswalk at the inter-

section, but if such stop cannot be made in safety a vehicle or street car may be driven cautiously through the intersection.

(2) Pedestrians facing such signal are thereby warned that there is insufficient time to cross a roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles and street cars.

**c. Red alone or "Stop".**

(1) Vehicles and street cars facing the signal shall stop before entering the nearest crosswalk or at such other point as may be indicated by a clearly visible line, and shall remain standing until Green or "Go" is shown or a green arrow indicates a right or left turn.

(2) Any pedestrian facing such signal shall not enter the roadway whether in a crosswalk or otherwise.

**Section 4.04. Display of Unauthorized Signs, Signals or Markings.**—No person shall maintain or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of, or resembles an official traffic control signal or sign or railroad sign or signal, or which hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit, upon any highway any traffic sign or signal to have thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs, signals or other traffic control devices.

In addition to the penalties provided for the violation of any provision of this section, every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the Chief of Police is hereby empowered and directed to remove the same or cause it to be removed without notice.

**ARTICLE 5. STOPPING, STANDING  
AND PARKING**

**Section 5.01. General Prohibition of Stopping, Standing or Parking.**—It shall be unlawful for the driver of

a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic sign or signal, subject, however, to the exemptions granted the drivers of emergency vehicles in Section 3.04:

- a. Within an intersection.
- b. On a crosswalk.
- c. Between a safety zone and the adjacent curb or within twenty (20) feet of points on the curb immediately opposite the ends of a safety zone, unless an official sign shall indicate a different stopping point.
- d. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- e. Within twenty (20) feet from the intersection of curb lines, or if none, then within fifteen (15) feet of the intersection of property lines at an intersection except at alleys and lanes; provided, however, that this prohibition shall be increased to:
  - (1) Within fifty (50) feet of the waikiki curb line of Punchbowl Street on the makai side of Hotel Street waikiki of Punchbowl Street, and
  - (2) Within fifty (50) feet of the extended ewa curb line of Lewers Street on the makai side of Kalia Road ewa of said extended line.
- f. Within thirty (30) feet upon the approach to any stop sign located at the side of the roadway.
- g. Within seventy-five (75) feet of the curb line of the intersecting street at the approach of any intersection at which there are traffic control signal lights.
- h. Within fifteen (15) feet of the driveways into or out of any fire station.
- i. Within ten (10) feet of any fire hydrant, such distance being computed along the curb from a point directly opposite the fire hydrant; provided, however, that this provision shall not apply when the operator of a vehicle stops, stands or parks such vehicle at or near a fire hydrant while and as long as he remains seated in the driver's seat.

j. Within four (4) feet of a public or private driveway.

k. On a sidewalk.

l. On any bridge.

m. At any place where official signs prohibit stopping or parking, or where curb markings indicate such parking prohibitions.

n. On a street, lane or alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic except that an operator may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic signs or signals or the directions of a police officer.

o. On the roadway side of any vehicle stopped or parked at the curb of a street or the lateral boundary of a roadway.

#### **Section 5.02. Stopping, Standing, or Parking Outside of Congested Business or Residence Districts.**

a. Upon any highway outside of the Congested District and outside of a business or residence district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practicable to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least twenty (20) feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of two hundred (200) feet in each direction upon such highway.

b. This section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position or when commanded by a police officer to stop.

#### **Section 5.03. Prohibited Parking Within the Congested District and on Certain Streets.—**When official signs

are erected giving notice thereof, no person shall stop, stand, or park a vehicle any longer than is absolutely necessary to take on or discharge passengers or freight upon any of the streets or portions thereof within the Congested District, as defined in Section 1.04, paragraph o, and on the following named streets and the following named parts of streets, or portions thereof:

- a. On the mauka side of Kalia Road between Saratoga Road and the Royal Hawaiian Hotel;
- b. On the makai side of Tusitala Street;
- c. On the ewa side of Kapili Street;
- d. On the mauka side of Helumoa Street;
- e. On the makai side of Captain Cook Street between Alapai and Emerson Streets;
- f. On the mauka side of Metcalf Street from University Avenue to Wilder Avenue;
- g. On the mauka side of Diamond Head Road from its junction with Poni Moi Road to Kahala Avenue;
- h. On either side of Kaiulani Avenue between Koa Avenue and Ala Wai Boulevard;
- i. On the mauka side of Cleghorn Street;
- j. On either side of Pacific Heights Road;
- k. On the mauka side of Prospect Street between Alapai and Magazine Streets;
- l. On the ewa side of Punchbowl Street from Vineyard Street to Lusitana Street;
- m. On either side of Bethel Street between Queen and Merchant Streets, provided, however, that a vehicle or vehicles owned or operated by a member of the Honolulu Police Department, the Military Police or the Naval Shore Patrol, may be parked in the said area when said person or persons are on duty at the Police Station;
- n. On either side of Mooheau Avenue between Kapahulu and Sixth Avenues.

**Section 5.04. Parking Limited to Sixty (60) Minutes Within the Congested District and on Certain Streets.—**

When official signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle for a period of time longer than sixty (60) minutes between the hours of 7:00 a.m. and 6:00 p.m. of any day except

Sundays and public holidays upon any of the streets or portions thereof within the Congested District, as defined in Section 1.04, paragraph o, and on the following named streets and the following named parts of streets, or portions thereof:

a. On both sides of Waialae Avenue between Eleyenth Avenue and Koko Head Avenue, except that the hours during which parking is limited shall be between 4:00 p.m. and 9:00 p.m.;

Provided, however, that in Palace Square no vehicle shall be parked for a period of time longer than thirty (30) minutes between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sundays and public holidays, and

Provided, further, that on the makai side of Merchant Street between Richards Street and Mililani Street, and on the waikiki side of Richards Street between Merchant and Queen Streets, no vehicle shall be parked for a period of time longer than ten (10) minutes between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sundays and public holidays.

**Section 5.05. Vehicles in Limited Parking Area to be Moved Fifty Feet.**—In construing the provisions of Section 5.04, a vehicle in a limited parking area shall be moved not less than fifty (50) feet during the limited parking period or shall be deemed to have remained stationary.

**Section 5.06. Parking Prohibited During Certain Hours in Designated Places.**—When official signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle any longer than is absolutely necessary to take on or discharge passengers or freight, upon any of the streets or portions thereof within the Congested District as defined in Section 1.04, paragraph o, and on the following named streets and the following named parts of streets, or portions thereof, between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sundays and public holidays:

a. On the waikiki side of Iwilei Road between the main entrance of the City and County Jail and Pacific Street;

b. On the ewa side of Prison Road between Pacific Street and Sumner Street;

c. On the mauka side of Pauoa Road between Pacific Heights Road and Kanealii Avenue.

**Section 5.07. All Night Parking Prohibited.**—No person shall park a vehicle on any street for a period of time longer than sixty (60) minutes between the hours of 2:00 a.m. and 6:00 a.m. of any day, subject, however, to the exemptions granted emergency vehicles in Section 3.04.

**Section 5.08. Parking Stalls; Required Parking Therein.**

a. The Chief Engineer of the Department of Public Works of the City and County of Honolulu is hereby authorized and directed to establish, mark and designate on both sides of all streets, where there is an apparent need therefor, a consecutive series of parking stalls for the parallel parking of motor vehicles. Each such parking stall shall extend in width eight (8) feet from the curb or edge of the roadway towards the center of the roadway and shall extend approximately twenty (20) feet in length along the curb or edge of the roadway.

b. Wherever parking stalls are so established, marked off and designated, the operator of any vehicle, excepting only single vehicles of a greater length or width, shall park such vehicle completely within a designated stall, subject, however, to the general parking restrictions and limitations and to all other traffic regulations of the City and County of Honolulu.

**Section 5.09. Loading Zones; Standing for Loading or Unloading Only.**

a. No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger zone as provided in section 2.01 during hours when the regulations applicable to such passenger zone are effective, and then only for a period not to exceed three (3) minutes.

b. No person shall stop, stand or park a vehicle for any purpose other than for the expeditious loading or unloading of passengers as provided for in paragraph (a) of this section, or for the expeditious unloading or delivery or pick-up and loading of materials in any place marked as a loading zone, as provided in section 2.01 during hours when the provisions applicable to such loading zone are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

**Section 5.10. Buses Prohibited from Parking Except in Officially Designated Bus Stops.**—The operator of a Bus shall not stand or park such Bus upon any street in the Congested District or in a business district at any place other than a bus stop, officially designated as provided in Section 2.01, except that this provision shall not apply to streets where bus stops have not been officially designated.

**Section 5.11. Other Vehicles Prohibited from Stopping, Standing or Parking in Bus Stops.**—No driver of a vehicle, other than a Bus, shall stop, stand or park such vehicle in a Bus Stop, officially designated as provided in Section 2.01 and appropriately signed and marked; provided, however, that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers, where such stopping does not interfere with any Bus which has entered or is waiting to enter or about to enter such Bus Stop.

**Section 5.12. Standing or Parking Close to Curb.**—No driver of a vehicle shall stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic and with the curb-side wheels of the vehicle within twelve (12) inches of the edge of the roadway, except when otherwise necessary in obedience to traffic regulations, traffic signs or signals or the directions of a police officer and except as provided in the following paragraphs:

a. On any highway outside the Congested District and outside any business or residence district, as provided in Section 5.02;

b. On those streets which have been marked or signed for angle parking where vehicles shall be parked at the angle to the curb and in the location indicated by the official signs or marks;

c. In places where and at hours when stopping for the loading or unloading of merchandise or materials is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads when the owner of such vehicle holds a permit issued by the Chief of Police, granting him such privilege, and such permit shall be either in the possession of the driver or on the vehicle

at the time such vehicle is backed against the curb, and it shall be unlawful for any owner or driver to violate any of the specific terms or conditions of such special permit.

**Section 5.13. Parking Unlawful for Certain Purposes.**

—No person shall stand or park a vehicle upon any roadway for the principal purpose of,

- a. Displaying it for sale;
- b. Washing, greasing or repairing such vehicle except the making of repairs necessitated by an emergency.

**Section 5.14. Obstruction to Sidewalk Prohibited.**—No person shall stand or park a vehicle in such a manner that any portion of such vehicle obstructs a sidewalk or portion thereof, subject, however, to the backing against the curb provisions of Section 5.12, paragraph c.

**Section 5.15. Abandoned Cars on Highway.**—No person shall abandon any vehicle on the public highway. The Chief of Police and his deputies are hereby authorized to remove or cause to be removed any such abandoned vehicle from the public highways, and the person so abandoning shall be liable for all reasonable expenses incurred by such removal.

**Section 5.16. Selling on Highways Restricted.**—It shall be unlawful for any itinerant vendor, peddler or huckster to carry on or solicit business in one location on any public highway for a period of more than fifteen (15) minutes, or on any such highway within the space of one block for a period of more than thirty (30) minutes. Upon vacating one location, it shall be unlawful for such itinerant vendor, peddler or huckster to take up another location to carry on or solicit business within one hundred (100) feet of such location or of any location previously vacated by him within three (3) hours.

**ARTICLE 6. OPERATION OF MOTOR VEHICLES.**

**Section 6.01. Drive on Right Side of Roadway. Exceptions.**—Upon all roadways of sufficient width a vehicle shall be driven upon the right half thereof, except as follows:

- a. When overtaking and passing another vehicle proceeding in the same direction under the provisions governing such movement;

b. When the right half of the roadway is closed to traffic while under construction or repair or for any other reason;

c. Upon a roadway divided into marked lanes, as provided in this Ordinance, to accommodate traffic moving in particular directions or at designated speeds;

d. Upon a roadway designated and sign-posted for one-way traffic;

e. United States Mail Vehicles.

**Section 6.02. Driver of Slow Moving Vehicle.**—The driver of a slow moving vehicle shall drive the same as close as possible to the right hand edge of the roadway.

**Section 6.03. Passing Vehicles Proceeding in Opposite Direction.**—Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

**Section 6.04. Overtaking a Vehicle on the Left.**—The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and rules hereinafter stated:

a. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the other vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

b. The driver of a vehicle shall not drive to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free from on-coming traffic, for a sufficient distance ahead, to permit such overtaking and passing to be made in safety. In any event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

c. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle

on audible signal, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

**Section 6.05. When Overtaking on the Right is Permitted.**

a. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

b. The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle, proceeding in the same direction, either upon the left or upon the right, on a roadway lined for four (4) lanes of traffic, when such movement can be made with safety; but no driver shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

**Section 6.06. Prohibited Passing.**—No driver of a vehicle shall overtake and pass on any highway another vehicle proceeding in the same direction—

a. At any railroad crossing;

b. At the intersection of a highway;

c. On a curve or on the approach to a summit, unless there is an unobstructed view of at least six hundred (600) feet, and then only when such passing can be made in safety;

d. At a crosswalk, whether marked or unmarked, where the vehicle to be overtaken and passed has stopped at such crosswalk to yield a pedestrian or another vehicle the right of way.

e. On any two-lane bridge.

**Section 6.07. Driving on Roadways Laned for Traffic.**—Whenever any roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

a. A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

b. Upon a roadway which is divided into three (3) lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such

center lane is clear of traffic within a safe distance; or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation; but, in no case nor at any time shall any part of a vehicle be driven in the left lane.

#### **Section 6.08. Driving Too Close.**

a. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

b. The driver of any motor truck or motor truck drawing another vehicle when traveling upon a roadway outside of a business or residence district shall not follow within one hundred fifty (150) feet of another motor truck or motor truck drawing another vehicle. The provisions of this paragraph shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

**Section 6.09. Turning at Intersections.**—The driver of a vehicle intending to turn at an intersection shall do so as follows:

a. Both the approach for a right turn and a right turn shall be made as close as is practicable to the right-hand curb or edge of the roadway.

b. Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered; provided, however, that while executing this left turn, there is at all times sufficient room on his left to permit the simultaneous execution of a right turn by a vehicle approaching him from the opposite direction.

c. In all cases where official marks, buttons or signs are placed within or adjacent to intersections, no driver of a vehicle shall execute a turn at such intersections otherwise than as directed and required by such markers, buttons or signs.

**Section 6.10. Turning Left on "Go" Signal.**—The driver of a vehicle or of a street car intending to turn to the left at an intersection where traffic is controlled by traffic control signals or by a police officer, shall proceed to make such left turn with proper care to avoid accident and only upon the "Go" signal unless otherwise directed by a police officer.

**Section 6.11. Right of Way; Vehicles Approaching or Entering Intersection.**

a. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.

b. When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

c. The foregoing rules are modified at through streets and otherwise, as hereinafter stated in this article.

**Section 6.12. Right of Way; Vehicles Turning Left at Intersection.**—The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection, or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this Ordinance, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right of way to the vehicle making the left turn.

**Section 6.13. Right of Way; Vehicle Entering Through Street or Stop Intersection.**

a. The driver of a vehicle shall stop as required by this Ordinance at the entrance to a through street and shall yield the right of way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through street shall yield the right of way to the vehicle so proceeding into or across the through highway.

b. The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

**Section 6.14. Left Turns Prohibited Within the Congested District.**—When official traffic signs are erected giving notice thereof, no driver of a vehicle shall make a left turn at any sign-posted intersection within the Congested District.

**Section 6.15. "U" Turn Prohibited.**—The driver of a vehicle shall not make a "U" turn or drive on an arc of one hundred eighty (180) degrees so as to proceed in the opposite direction on any portion of a four laned highway, within the Congested District, or at any intersection where traffic is controlled by traffic control signal lights.

On streets and highways, other than four laned highways and the locations set forth in the above paragraph, the driver of a vehicle may make a "U" turn, provided such movements can be executed in safety and without interfering with other traffic.

**Section 6.16. Stop When Traffic is Obstructed.**—No driver of a vehicle shall enter an intersection or a marked or unmarked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is driving without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

**Section 6.17. Limitations on Backing.**—It shall be unlawful for the driver of a vehicle to back the same into any highway, street, road or thoroughfare within the Congested District as defined in Section 1.04 of this ordinance and the driver of a vehicle shall not back the same into an intersection or over a crosswalk and shall not in any event or at any place back a vehicle unless such movement can be made in safety.

**Section 6.18. Procedure to be Observed on Emerging from Alley or Private Driveway.**—The driver of a ve-

hicle emerging from an alley, lane, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alley-way, driveway, lane or building entrance and, upon entering the roadway, shall yield the right of way to all vehicles approaching on said roadway.

**Section 6.19. Vehicles Not to Be Driven on Sidewalk.**—The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway, alley-way or entrance to a lane or building.

**Section 6.20. One-way Streets.**—Upon the following named streets and parts of streets, or portions thereof, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited:

a. City Hall Driveway,—all vehicular traffic shall enter only at the waikiki end, move only in a general ewa direction and exit at the ewa end;

b. Fort Street,—all vehicular traffic shall move only from makai to mauka, between the mauka line of Queen Street and the makai line of Beretania Street;

c. Kaahumanu Street,—all vehicular traffic shall move only from makai to mauka;

d. Kauila Street,—all vehicular traffic shall move only from waikiki to ewa;

e. Likelike Street,—all vehicular traffic shall move only from makai to mauka;

f. Marin Street,—all vehicular traffic shall move only from waikiki to ewa, between Nuuanu Avenue and Smith Street;

g. McCully Street,—all vehicular traffic shall move only from mauka to makai, between the makai line of King Street and the mauka line of Kapiolani Boulevard;

h. The Loop formed by Kahela and Aylett Lanes,—all vehicular traffic shall move to the right or in a counter-clockwise direction;

i. Lewis Avenue,—between Kapiolani Boulevard and Kalakaua Avenue, all vehicular traffic shall move only from mauka to makai;

j. Union Street,—All vehicular traffic shall move only from mauka to makai between Beretania Street and Hotel Street.

**Section 6.21. Stop Before Entering Through Streets and Before Entering Intersections Where Traffic Signs are Erected.**

When stop signs, officially designated, are erected upon streets or highways intersecting any Through Street at the entrance thereto, or upon any other street or highway at the entrance to any intersection, every driver of a vehicle, motorman of a street car, and every driver or operator of any moving object shall stop at the stop line; provided, however, that in the event there is no stop line, then said driver, motorman or operator shall stop at the nearest line marking the crosswalk at such entrance; and provided further, that in the event there are no such lines, then said driver and motorman shall stop at the place where such street meets the prolongation of the nearest property line of such Through Street or other street or highway to be entered.

The "Stop line" shall be a clearly visible white line extending across the right half of the roadway and placed on streets and highways having such stop signs. The Board of Supervisors shall by resolution determine and designate the positions of such stop lines.

The following streets or indicated portions thereof are Through Streets, as defined in Section 1.04, paragraph c:

**Ala Moana**, from the southerly line of South Street to the Ala Wai;

**Ala Wai Boulevard**, from the easterly line of Kalakaua Avenue to the westerly line of Kapahulu Avenue;

**Auwaiolimu Street**, from the easterly line of Lusitana Street to the north-westerly line of Nehoa Street;

**Beretania Street**, from its junction with North King Street at Palama to its junction with South King Street at Moiliili;

**California Avenue, (Wahiawa)**, from the easterly line of Kamehameha Highway to its easterly terminus;

- Campbell Avenue**, from the easterly line of Kapahulu Avenue to the northerly line of Monsarrat Avenue;
- Date Street**, from the easterly line of Kapiolani Boulevard to the westerly line of Kapahulu Avenue;
- Diamond Head Road**, from the southerly line of Poni Moi Road to the junction of Kahala Avenue;
- Dillingham Boulevard**, from the westerly line of North King Street to its junction with Kamehameha Highway at Puuhale Road;
- Fort Street**, from the easterly line of Beretania Street to the westerly line of Pauoa Road, except at School Street;
- Glen Avenue, (Wahiawa)**, from the northerly line of California Avenue to its northerly terminus;
- Harding Avenue**, from its northerly terminus at Kapiolani Boulevard to the southerly line of 20th Avenue;
- Kahala Avenue**, from its westerly terminus with Diamond Head Road to its easterly terminus at the Waialae Golf Club;
- Kalakaua Avenue**, from the northerly line of Poni Moi Road to the westerly line of Beretania Street, except at King Street;
- Kalihi Street**, from the easterly line of King Street to its easterly terminus, except at School Street;
- Kamehameha Highway**, from its terminus with Nuuanu Avenue at Mamalahoa Road to its terminus with Dillingham Boulevard at Puuhale Road, via Haleiwa;
- Kapahulu Avenue**, from the easterly line of Kalakaua Avenue to the westerly line of Harding Avenue;
- Kapiolani Boulevard**, from the westerly line of King Street at South Street to the westerly line of Waialae Avenue, except at Kalakaua Avenue, King Street and Harding Avenue;
- Kealaolu Avenue**, from the southerly line of Waialae Avenue to Kahala Avenue;
- Kilani Avenue, (Wahiawa)**, from the easterly line of Kamehameha Highway to the westerly line of Hakone Street;
- King Street**, from its junction with Moanalua Road at Boulevard, except at its junction with North Beretania Street, Merchant Street, South Street and South Fort Shafter to its southerly terminus at Kapiolani Beretania Street;

- Liliha Street**, from the easterly line of King Street to its easterly terminus;
- Maunaloa Avenue**, from the southerly line of 6th Avenue to the northerly line of 12th Avenue;
- Middle Street**, from the easterly line of Kamehameha Highway to the westerly line of Notley Street, except at North King Street;
- Manoa Road**, from its westerly terminus with Punahou Street at the easterly line of Nehoa Street to the easterly line of Kamehameha Avenue;
- Moanalua Road**, through its length;
- Mooheau Avenue**, from the southerly line of Kapahulu Avenue to the southerly line of 6th Avenue;
- Monsarrat Avenue**, from the westerly line of Paki Avenue to the easterly line of Trousseau Street;
- Nuuanu Avenue**, from the easterly line of Beretania Street to its junction with the terminus of Kamehameha Highway at Mamalahoa Road;
- Oahu Avenue**, from the easterly line of Kamehameha Avenue to the westerly line of Lowrey Avenue, except at East Manoa Road;
- Olive Avenue, (Wahiawa)**, from the easterly line of Kamehameha Highway to its easterly terminus;
- Pearl Harbor Road**, throughout its length;
- Pensacola Street**, from the westerly terminus to the westerly line of Nehoa Street, except at Kapiolani Boulevard, King Street, Beretania Street and Wilder Avenue;
- Punahou Street**, from the easterly line of South King Street to its junction with the Manoa Road at the easterly line of Nehoa Street, except at Beretania Street;
- Queen Street**, from the southerly line of Mililani Street to the northerly line of Ward Street;
- Queen Emma Street**, from the easterly line of Beretania Street to the easterly line of Iolani Street, extended;
- Sixth Avenue**, from the easterly line of Maunaloa Avenue to the westerly line of Harding Avenue;
- Sixteenth Avenue**, from the westerly line of Kilauea Avenue to the westerly line of Waialae Avenue, except at Harding Avenue;

**School Street**, from the westerly line of Notley Street to its southerly terminus at the northerly line of Lusitana Street;

**Sierra Drive**, from its westerly terminus at the easterly line of Waiālae Avenue to its easterly terminus at the westerly line of Maunalani Circle;

**University Avenue**, from the easterly line of King Street to its easterly terminus;

**Vineyard Street**, from its northerly terminus at the southerly line of Houghtailing Street to its southerly terminus at the northerly line of Punchbowl Street, except at Fort Street, Liliha Street, Nuuanu Avenue and Queen Emma Street;

**Waiālae Avenue**, from the northerly line of Kapiolani Boulevard, extended, to its southerly terminus at its junction with Kalanianaʻole Highway at Kealaolu Avenue;

**Wilder Avenue**, from the northerly line of Pensacola Street to the northerly line of Metcalf Street, except at Punahou Street;

**Wyllie Street**, from the southerly line of Waolani Avenue to the northerly line of Nuuanu Avenue, except at Liliha Street.

**Section 6.22. Operation of Vehicles and Street Cars on Approach of Authorized Emergency Vehicle and Special Emergency Vehicle.**—Upon the immediate approach of an authorized emergency vehicle when the driver thereof is giving audible signal by siren, exhaust whistle or bell, or upon the immediate approach of any of the emergency vehicles described in Section 3.04, when the driver thereof is sounding continually an audible signal:

a. The driver of every vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the right hand curb or edge of the roadway, far enough from any intersection to allow sufficient space for the authorized emergency vehicle or emergency vehicle to safely turn, and shall stop and remain in such position until the authorized emergency vehicle or emergency vehicle has passed, except when otherwise directed by a police officer.

b. The motorman of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle or emergency vehicle has passed, except when otherwise directed by a police officer.

c. This section shall not be construed to relieve the driver of an authorized emergency vehicle or emergency vehicle from the duty of driving with due regard for the safety of all persons using the highway.

**Section 6.23. Following Fire Apparatus Prohibited.—**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

**Section 6.24. Driving over Fire Hose Prohibited.—**

No vehicle or street car shall be driven over any unprotected hose of the fire department when laid down on any street, private driveway or street car track without the consent of the fire department official in command.

**Section 6.25. Speed Restrictions. —**

No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing. Where no special hazard exists the following speeds shall be lawful, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

**a. Twenty (20) miles per hour**

(1) While traveling on any street in the Congested District, as defined in Section 1.04, paragraph o;

(2) While traveling on any street or highway in any business district, as defined in Section 1.04, paragraph m;

(3) While traveling on any street or highway in any closely built up district when official traffic signs are erected and maintained, indicating the maximum speed permissible in such closely built up district;

(4) While passing a school building, or the grounds thereof, contiguous to the highway during school recess or while children are going to or leaving such school during opening or closing hours or while the

playgrounds of any such school are in use by school children.

**b. Twenty-five (25) miles per hour**

(1) While traveling on Beretania Street from Alakea Street to Alapai Street;

(2) While traveling on any street or highway, other than a through street, and except as otherwise limited or extended in this section;

(3) While traveling through all towns and villages.

**c. Thirty (30) miles per hour**

(1) While traveling on any Through Street, as defined in Section 1.04, paragraph c and as set forth in Section 6.21, subject, however, to the limitations and extensions otherwise set forth in this section;

(2) While traveling on Kalakaua Avenue from Beretania Street to Kapahulu Avenue;

(3) While traveling on Ala Moana from Fort Street to South Street.

**d. Thirty-five (35) miles per hour**

(1) While traveling on Ala Moana from South Street to the Ala Wai;

(2) Upon Ala Wai Boulevard;

(3) Kamehameha Highway, excepting those portions thereof for which a different maximum speed is provided in this Section;

(4) Kapiolani Boulevard from Ward Street to its junction with Waialae Avenue;

(5) Moanalua Road from the junction of Puuloa Road to its westerly terminus at Kamehameha Highway;

(6) Pearl Harbor Road; and

(7) All highways where a lesser rate is not required nor a greater rate permitted in this section.

**e. Forty-five (45) miles per hour**

(1) While traveling on Kamehameha Highway over all units of Federal Aid Project 9, beginning at a point five hundred (500) feet east of the junction of Pearl Harbor Road, (Station 83 + 00, FAP 9A), and Kamehameha Highway and running west to the Ewa-Schofield Junction, except at Pearl Harbor-Aiea Intersection where the speed limit shall be twenty-five (25) miles per hour for a distance of five hundred (500)

feet on either side of this intersection, (from Station 163 + 00 to Station 173 + 00, FAP 9A);

(2) While traveling over all units of Federal Aid Project 7, beginning at the Ewa-Schofield Junction and running to the westerly end of Federal Aid Project 7D, except at Kipapa Gulch, (Station 12 + 00 to Station 80 + 00 FAP 7C), where the speed limit shall be thirty-five (35) miles per hour, and from a point five hundred (500) feet south of Wright Gate (Station 59 + 00, FAP 7D), through Wahiawa to a point, (Station 122 + 00, FAP 7D), 1550 feet north of Karsten Thot Bridge where the speed limit shall be twenty-five (25) miles per hour;

(3) While traveling over all units of Federal Aid Project 3, except at Waimea Bay between (Station 102 + 00 and 156 + 00), where the speed limit shall be thirty-five (35) miles per hour;

(4) While traveling over all units of Federal Aid Project 1, except at Kahana Bay between (Station 913 + 00 and 1050 + 00), where the speed limit shall be thirty-five (35) miles per hour;

(5) While traveling over Federal Aid Project 15A;

(6) While traveling over that portion of Federal Aid Project 6, beginning at the westerly end of Federal Aid Project 6F and running to the northerly boundary of Kaupo Park, (Station 127 + 00);

(7) While traveling over all units of Federal Aid Project 21, Wahiawa-Waialua Road, from its junction with Kamehameha Highway near Wahiawa to a point, (Station 247 + 00), approximately 2400 feet mauka from its junction with Kamehameha Highway near Waialua.

f. The fact that the speed of a vehicle is lower than the foregoing limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

g. In every charge of violation of this section the complaint, and also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed applicable within the district or at the location concerned.

h. The foregoing provisions of this section shall not be construed to relieve the plaintiff in any civil case or action from the burden of proving negligence upon the part of the defendant as the proximate cause of the accident.

**Section 6.26. Minimum Speed.**—No person shall drive a motor vehicle at such a low speed as to impede or block the normal and reasonable movement of traffic except when so directed by a police officer, or when reduced speed is necessary for safe operation, or in compliance with law.

**Section 6.27. Speed of Heavy Vehicles Restricted.**

a. No vehicle equipped wholly with pneumatic tires shall be operated upon any highway at a greater speed than forty (40) miles per hour when the weight including load exceeds 34,000 pounds.

b. No vehicle equipped wholly or partly with solid tires shall be operated upon any highway at a greater rate of speed than ten (10) miles per hour when the weight including load exceeds 14,000 pounds, or at a greater speed than twenty (20) miles per hour when the weight of such vehicle including load does not exceed 14,000 pounds.

c. The rates of speed for vehicles equipped wholly with cushion wheels or with a combination of cushion and pneumatic tires, shall not be more than twenty-five (25) per cent greater than those provided for vehicles equipped wholly or partly with solid tires. A "Cushion" wheel, when used herein, shall designate a wheel which by reason of its construction is non-rigid and is resilient within itself.

d. No vehicle or trailer carrying a weight in excess of six (6) tons, including the weight of the vehicle, which is equipped wholly or partly with metal tires or other hard non-resilient material shall be operated upon any highway at a speed in excess of six (6) miles per hour.

**Section 6.28. Operating a Vehicle While Under the Influence of Intoxicating Liquor.**—No person who is

intoxicated or who is under the influence of intoxicating liquor or narcotic drugs shall operate any vehicle on any street or highway or on any way or place whatsoever within the City and County of Honolulu.

**Section 6.29. Reckless Driving.**—It shall be unlawful and constitute reckless driving, for any person to drive any vehicle or operate any street car in such manner as to indicate either a wilful or a wanton disregard for the safety of persons or property.

## **ARTICLE 7. STREET CARS AND SAFETY ZONES.**

**Section 7.01. Boarding or Alighting from Any Street Car or Vehicle.**—No person shall board or alight from any street car or vehicle while such street car or vehicle is in motion.

**Section 7.02. Railroad Trains and Street Cars Not to Block Street.**—It shall be unlawful for the directing officer or the operator of any railroad train or street car to direct the operation or to operate the same in such a manner as to prevent the use of any street or highway for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or street cars in motion other than those engaged in switching. It shall be unlawful to stop any street car or railroad train within an intersection or on a crosswalk for the purpose of receiving or discharging passengers.

### **Section 7.03. Passing Street Car on Left.**

a. The driver of a vehicle shall not overtake and pass upon the left or drive upon the left side of any street car proceeding in the same direction, whether such street car is actually in motion or temporarily at rest, except:

(1) When so directed by a police officer;

(2) When upon a one-way street; or

(3) When upon a street where the tracks are so located as to prevent compliance with this section.

b. The driver of any vehicle, when permitted to overtake and pass upon the left of a street car which has stopped for the purpose of receiving or discharging any passenger, shall reduce speed and may proceed only upon exercising due caution for pedestrians, and shall accord pedestrians the right of way when required by other sections of this Ordinance.

**Section 7.04. Passing Street Car on Right.**—The driver of a vehicle overtaking upon the right any street car

stopped or about to stop for the purpose of receiving or discharging any passenger, shall stop such vehicle at least five (5) feet to the rear of the nearest running board or door of such street car, and thereupon remain standing until all passengers have boarded such street car, or, upon alighting, have reached a place of safety, except that where a safety zone has been established a vehicle need not be stopped before passing any street car, but may proceed past such street car at a speed not greater than is reasonable and proper and with due caution for the safety of pedestrians.

#### **Section 7.05. Driving on Street Car Tracks.**

a. The driver of any vehicle proceeding upon any street car track in front of a street car shall remove such vehicle from the track as soon as practicable after signal from the operator or motorman of the street car.

b. When a street car has started to cross an intersection, no driver of a vehicle shall drive upon or across the car tracks within the intersection in front of the street car.

c. The driver of a vehicle upon overtaking and passing a street car shall not turn in front of such street car so as to interfere with or impede its movement.

**Section 7.06. Driving Through Safety Zones Prohibited.**—No vehicle shall at any time be driven through or within a safety zone.

### **ARTICLE 8. MOTORCYCLES, BICYCLES, PUSH-CARTS AND ANIMALS.**

**Section 8.01. Persons Propelling Push-Carts or Riding Bicycles or Animals to Obey Traffic Regulations.**—Every person propelling any push-cart or riding a bicycle, or an animal upon any highway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this Ordinance applicable to the driver of any vehicle, except those provisions which by their very nature can have no application.

**Section 8.02. Prohibiting More Than One Person from Riding Upon Motorcycle, Bicycle or Tricycle.**—The operator of a motorcycle, bicycle or tricycle shall not carry any other person upon the handle bar, frame, or tank of any vehicle, nor shall any person so ride upon any such vehicle. All passenger seats attached to motorcycles shall be equipped with steel or leather hand grips on either side.

**Section 8.03. Clinging to Moving Vehicles Prohibited.**

—No person riding upon any bicycle, tricycle, motorcycle, coaster, roller skates or any toy vehicle, shall attach the same or himself to any street car or moving vehicle upon any highway.

**Section 8.04. Manner of Operation.**—Bicycles, tricycles and animals shall be ridden, push-carts propelled and animal-drawn vehicles driven as close as possible to the right hand edge of the roadway.

**Section 8.05. Restricting Animals and Livestock on Highways.**—

a. No person owning, controlling or having the possession of any livestock or animals, such as cattle, horses, mules, asses, sheep or goats, shall wilfully or negligently permit any such livestock or animals to stray upon, or remain unaccompanied by a person in charge or control thereof, upon any street or highway.

b. No person shall drive any such livestock upon, over or across any street or highway without keeping a sufficient number of herders on continual duty to open the road so as to permit the passage of vehicles.

**ARTICLE 9. PEDESTRIANS' RIGHTS AND DUTIES.**

**Section 9.01. Pedestrians Subject to Traffic Control Devices.**—Pedestrians shall be subject to traffic control signals at intersections as heretofore stated in Section 4.03; but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as hereinafter stated.

**Section 9.02. Pedestrians' Right of Way at Crosswalks.**

—Where traffic control signals are not in place or in operation and where traffic is not being regulated by the directions of a police officer, the following provisions shall govern the rights and duties of the driver of any vehicle and the rights and duties of any pedestrian when such pedestrian is crossing a roadway within any marked crosswalk or within any unmarked crosswalk at any intersection;

a. When any pedestrian leaves the sidewalk or edge of the roadway and enters a crosswalk, all drivers of vehicles on one-way streets and all drivers of vehicles on two-way streets proceeding in the same direction on that half of the roadway embracing the portion of the crosswalk which the pedestrian has entered, shall yield the right of way to such pedestrians, slowing down or stopping if need be to so yield.

b. When any pedestrian, crossing a two-way street, within a crosswalk, has reached the center or approximate center of the roadway, all drivers of vehicles proceeding in the same direction on that half of the roadway which the pedestrian is facing and embracing that portion of the crosswalk which the pedestrian is about to enter, shall yield the right of way to such pedestrian, slowing down or stopping if need be to so yield.

**Section 9.03. Pedestrians' Duties; Jay Walking Prohibited.**

a. Every pedestrian, except while boarding or alighting from a street car, shall yield the right of way to a vehicle upon the roadway at any point other than within a marked or unmarked crosswalk, or other place specially provided for pedestrians; provided however, that this provision shall not relieve the driver of a vehicle from the duty to exercise due care for the safety of a pedestrian.

b. Pedestrians shall not step into that portion of the roadway devoted to vehicular traffic within the Congested District, except to board or alight from a street car and except at marked crosswalks or unmarked crosswalks at intersections.

c. Pedestrians waiting for street cars shall not step into the roadway sooner, nor on leaving the street car remain in the roadway longer than is necessary.

**Section 9.04. Pedestrians on Roller Skates, Etc.—**It shall be unlawful for any pedestrian upon roller skates or riding in or by means of any coaster, toy vehicle or similar device, to go upon any part of a roadway, except while crossing a street within a crosswalk, at which time he shall be subject to the general provisions of this Ordinance pertaining to pedestrians.

**Section 9.05. Pedestrians to Use Right Half of Crosswalk.—**Pedestrians, whenever practical, shall walk upon the right half of crosswalks.

**Section 9.06. Pedestrians Soliciting Rides.—**No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

**Section 9.07. Blind and Crippled Pedestrians' Right-of-way.—**Except at intersections where the movement of traffic is being regulated by police officer, the driver of a vehicle shall come to a stop and take such precautions as may be necessary before proceeding so as to avoid injury to a crippled pedestrian using

crutches, or to a blind or partially blind pedestrian carrying in full view a cane, white in color, or white with red ends, and blowing continually a whistle similar to the type of whistle used by traffic officers.

**Section 9.08. Pedestrians to Travel on Left Side of Roadway.**

a. Where a street or highway is provided with a usable sidewalk, no pedestrian shall travel along the paved or improved roadway, devoted to vehicular traffic.

b. Where no sidewalks have been provided, pedestrians traveling on and along the roadway, shall travel only on the left-hand edge thereof.

**ARTICLE 10. ACCIDENTS.**

**Section 10.01. Accidents Involving Death or Personal Injuries.**—The driver of any vehicle involved in an accident resulting in injury or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 10.03. Every such stop shall be made without obstructing traffic any more than is necessary.

**Section 10.02. Accident Involving Damage to a Vehicle.**—The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of the accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 10.03. Every such stop shall be made without obstructing traffic any more than is necessary.

**Section 10.03. Duty to Give Information and Render Aid.**—The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property damage, shall give his name, address and the vehicle license number of the vehicle he is driving and shall, upon request, exhibit his driver's license to the person struck, or to the driver or occupant of, or person attending, the vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for the

carrying of such person to a physician, surgeon or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.

**Section 10.04. Duty Upon Striking Unattended Vehicle.**—The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and of the owner of the vehicle striking the unattended vehicle together with the license number of said vehicle, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking, together with the license number of said vehicle and a statement of the circumstances thereof.

**Section 10.05. Duty Upon Striking Fixtures Upon a Highway.**—The driver of any vehicle involved in an accident resulting only in damages to fixtures legally upon or adjacent to a street or highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, and of his name and address, and of the vehicle license number of the vehicle he is driving, and shall upon request exhibit his driver's license, and shall make a report of such accident when and as required in Section 10.06.

**Section 10.06. Duty to Report Accidents.**—The driver of any vehicle involved in an accident resulting in injury to or death of any person, or total property damage to an apparent extent of Twenty-five (\$25.00) dollars or more, shall immediately or as soon thereafter as possible report such accident and later forward a written report of such accident to the Police Department of the City and County of Honolulu.

The Police Department may require any driver of a vehicle involved in an accident of which report must be made as required in this Section to file supplemental reports whenever the original report is insufficient in the opinion of said Department, and may also require witnesses of accidents to render reports to said department.

The Police Department shall tabulate and analyze such reports and shall forward monthly copies sum-

marizing same to the Traffic Safety Commission of the City and County of Honolulu.

**Section 10.07. Garage Keeper to Report on Accidents.**

—The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or struck by any bullet shall report to the Police Department immediately after such vehicle is received, giving the license number and engine number of the vehicle and the name and address of the owner or driver of such vehicle.

**Section 10.08. Accident Reports Confidential.**—All re-

quired accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department and the Traffic Safety Commission, except that the Police Department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except when properly subpoenaed or upon proper demand of any court.

**Section 10.09. Copies of Accident Reports to be Fur-**

**nished Traffic Safety Commission.**—The Chief of Police shall furnish true copies of all accident reports and supplemental reports, within forty-eight (48) hours from the filing thereof, to the Traffic Safety Commission.

**ARTICLE 11. EQUIPMENT.**

**Section 11.01. Reconstructed Vehicle.**

a. No person shall operate on any street or highway a reconstructed or rebuilt motor vehicle without first having a revocable permit from the Chief of Police.

b. Before issuing such permit the Chief of Police shall require a written report of inspection on such vehicles as to brakes, lights and general working conditions, issued by some responsible authority designated by him.

c. Permits issued for the operation of reconstructed vehicles may be revoked at any time the Chief of Police has reason to believe that such vehicles are a menace to traffic.

**Section 11.02. Width and Height of Vehicles Restricted.**

No motor vehicle or other power vehicle of a greater width than nine (9) feet, including load, (except traction engines, which may have a width of ten (10) feet), and a height of thirteen (13) feet, shall be operated on any street or highway except under the provisions herein specified.

**Section 11.03. Horns and Warning Devices.**

a. Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

b. Every authorized emergency vehicle shall be equipped with a gong, bell, siren or exhaust whistle, of a type approved by the Chief of Police.

c. Any privately owned vehicle of a police officer, operated by such police officer in the necessary performance of his duties under the provisions of Section 3.04, to be entitled to the exemptions set forth in said Section, shall have such vehicle equipped with a distinguishing sounding device of a type approved by the Chief of Police.

d. No person, except as otherwise provided in this Section, shall equip a motor vehicle with, or otherwise use thereon, any siren, any compression or spark plug whistle or any exhaust horn or whistle which does not produce a harmonious sound.

**Section 11.04. Rear Vision Mirror Required.**—Every motor vehicle shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle.

**Section 11.05. Mufflers; Prevention of Noise.**—Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a highway.

**Section 11.06. Posters on Windshields.**—It shall be un-

lawful for any person to operate a vehicle on the public highway with stickers or posters on the windshield covering a greater area than four (4) inches by six (6) inches and such posters and stickers may be placed only at the lower right hand corner of the windshield. No stickers or posters shall be placed on the side wings or auxiliary windshields, nor shall any sticker or posters be placed on the rear window of any vehicle where the use of the rear vision mirror is through such rear window.

**Section 11.07. Windshield Wiper.**—No person shall operate a motor vehicle upon any street or highway unless such vehicle shall have attached to the driving side of the windshield, if any, a suitable and workable windshield wiper which may be operated by hand or automatically.

**Section 11.08. Lights.**

a. No person shall ride, drive or propel any vehicle between the hours of one-half hour after sunset and one-half hour before sunrise, unless there shall be fastened to the front thereof at least two lights of such type, construction and arrangement as prescribed in Section 6289, Revised Laws of Hawaii 1935, as amended, as to reveal, when the vehicle is fully loaded, any person, vehicle or substantial object straight ahead for a distance of two hundred (200) feet and fastened to the rear thereof a lamp or lamps so fixed as to show a red light plainly visible from a distance of 200 feet from the rear, and a white light directly showing on the registration number, making it clearly legible from a distance of fifty (50) feet to the rear.

b. Whenever a vehicle is parked or stopped on a street during the time between one-half hour after sunset and one-half hour before sunrise, there shall be displayed upon the rear of such vehicle a red light visible from a distance of two hundred (200) feet; provided, however, that no such light shall be necessary when a vehicle is legally parked or stopped at any place within the following described zone, to-wit:

1. Commencing at the mauka-waikiki corner of Punchbowl and Beretania Streets; thence makai along the waikiki side of Punchbowl Street to Queen Street; thence ewa along the makai side of Queen Street to Iwilei Road; thence mauka along the ewa side of Iwilei Road to King Street; thence ewa along the makai

side of King Street to Liliha Street; thence mauka along the ewa side of Liliha Street to School Street; thence waikiki along the mauka side of School Street to Queen Emma Street; thence makai along the waikiki side of Queen Emma Street to Beretania Street; thence waikiki along the mauka side of Beretania Street to Punchbowl Street.

2. On either side of Kamehameha Highway between Coral Gardens Road and Lilipuna Road in the town of Kaneohe.

3. On either side of Kalakaua Avenue between Monsarrat Avenue and Beretania Street.

4. On either side of Beretania Street and South King Street between Kapahulu Avenue and Punchbowl Street.

5. On either side of King Street between Keeau-moku Street and Victoria Street.

6. On either side of Kapiolani Boulevard between Kalakaua Avenue and Ward Street.

c. No person shall ride or drive a bicycle, tricycle or motorcycle on any street between the hours set forth in paragraph a of this Section without having attached to the front thereof a white light, clearly visible from a distance of three hundred (300) feet, and to the rear thereof a red light, clearly visible from a distance of two hundred (200) feet to the rear except that a red reflector meeting the requirements of this Ordinance may be used in lieu of a red light.

d. All motor vehicles having a body width in excess of 80 inches except those specified in paragraphs a and b of this Section during the time set forth in paragraph a shall be equipped with at least two clearance lamps on the extreme width of the left side, one near the front and one near the rear and not less than 30 inches above the road. Said clearance lamps shall each display a green light the source of which shall be not less than 3 nor more than 6 standard candlepower and be visible from a distance of 500 feet to the front and rear and to the left side of the vehicle.

**Section 11.09. Spot Lights Prohibited.**—No person shall use a spot light on any vehicle while in motion on a street or highway.

**Section 11.10. Light Beams to be Lowered Upon Approaching Another Vehicle.**—On approaching another vehicle proceeding from the opposite direction, and

when within not less than three hundred (300) feet of same, any person, driving a motor vehicle equipped with headlamps empowered to throw two or more sets of beams for driving purposes, shall temporarily substitute the lower beams, in case the higher beams are then being used, until said approaching vehicle has passed said person.

**Section 11.11. Red or Green Lights in Front of Vehicle Prohibited.**—Red or green lights shall not be displayed in front of any vehicle except an authorized emergency vehicle.

**Section 11.12. Flag or Light at End of Load.**—Whenever the load on any vehicle shall extend more than four (4) feet beyond the front or rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the front or rear of such vehicle a red flag, not less than sixteen (16) inches square, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of such a load a red light, clearly visible under normal conditions for a distance of three hundred (300) feet from the front or rear of such vehicle.

**Section 11.13. Brakes.**

a. Brake Equipment Required.

(1) Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(2) Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot.

(3) Every trailer or semitrailer of a gross weight of 3,000 pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the tow-

ing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes shall be automatically applied.

(4) Every new motor vehicle, trailer, or semitrailer hereafter sold or built in the City and County of Honolulu and operated on the highways thereof shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle, and except that any semitrailer of less than 1,500 pounds gross weight need not be equipped with brakes.

**b. Performance Ability of Brakes.**

(1) The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle or vehicles when traveling twenty (20) miles per hour within a distance of thirty (30) feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one per cent.

(2) Under the above conditions the hand brake shall be adequate to stop such vehicle or vehicles within a distance of fifty-five (55) feet and said hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

(3) Under the above conditions the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of forty (40) feet and the hand brake adequate to stop the vehicle within a distance of fifty-five (55) feet.

(4) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this Ordinance.

(5) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practical with respect to the wheels on opposite sides of the vehicles.

**Section 11.14. Tail-Gate and Loading Rack Not to Project.**

a. No truck shall be driven or parked on any highway with tail-gate or tail-board hanging down or projecting from the vehicle except while such vehicle is being loaded or unloaded, and except when a load thereon extends beyond the tail-gate or tail-board, rendering impossible the closing thereof.

b. No truck shall be driven on any highway with gate, loading rack or partition carried in any manner on any part of the exterior of the truck.

#### **Section 11.15. Official Inspection Stations.**

a. The Chief of Police shall issue permits for and furnish instructions and all necessary forms to official inspection stations for the inspection and adjustment of brakes, lighting equipment, steering mechanism, horns, mirrors, windshield wipers, and other equipment of motor vehicles, trailers and semitrailers.

b. Application for such permit shall be made upon an official form and shall be granted only when the Chief of Police is satisfied that the station is properly equipped and has competent personnel to make such inspections and adjustments and will be properly conducted. Before issuing a permit, the Chief of Police may require the applicant to file a bond conditioned that he will make compensation for any damage to a vehicle during an inspection due to negligence on the part of such applicant or his employees.

c. The Chief of Police shall supervise and cause inspections to be made of such stations and shall revoke and require the surrender of the permit issued to a station which he finds is not properly equipped or conducted. The Chief of Police shall maintain and post at the office of the Police Department lists of all stations holding permits and those whose permits have been revoked.

#### **Section 11.16. Suspension of Registration.**

a. Upon certification of the Chief of Police that any motor vehicle is in such unsafe condition as to constitute a menace to safety, or which after notice and demand is not equipped as required in this Ordinance, the City and County Treasurer shall forthwith suspend the registration of such vehicle.

b. Whenever the City and County Treasurer has suspended the registration of any motor vehicle under the provisions of this Ordinance the owner of such vehicle shall immediately forward to the City and County Treasurer the certificate of registration and the license plates in his possession last issued upon registration of such vehicle for the current year.

### **ARTICLE 12. MISCELLANEOUS PROVISIONS.**

**Section 12.01. Motor Vehicle Left Unattended; Brakes to be Set and Motor Stopped.**—No person shall allow

a motor vehicle to stand on any street unattended without first setting the brakes thereon and stopping the motor, and when such vehicle is left standing on a perceptible grade, the wheels of such vehicle shall be turned to the curb or the edge of the roadway.

**Section 12.02. Regulation Governing Traffic During Processions and Parades.**—It shall be unlawful for any pedestrian to walk, or for any equestrian, or driver or operator of a vehicle or street car to drive between the vehicles comprising, or interrupt any regularly ordered funeral procession, or any procession authorized by the Chief of Police, or any parade of the military or naval forces of the United States or of the National Guard; provided, however, that this restriction shall not apply at intersections where traffic is controlled by traffic control signals or by police officers.

The Chief of Police shall provide police escort for funeral processions, or any processions or parade upon request, without charge.

**Section 12.03. Unlawful Riding.**—No person shall ride on any street car or vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to employees engaged in the necessary discharge of a duty, or to persons riding within truck bodies and within trailers in space intended for merchandise.

**Section 12.04. Obstruction to Driver's View or Driving Mechanism.**—

a. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

b. No passenger in a vehicle or street car shall ride in such position as to interfere with the driver's or motorman's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle or street car.

**Section 12.05. Obstruction of Intersection.**

a. No hedge, shrubbery, fence or other similar obstruction shall be maintained or permitted within a radius of thirty (30) feet from the intersection of property lines at the corners of any street or highway intersection when any point on such obstruction with-

in the said radius extends to a greater height than three (3) feet above the nearest edge of the roadway of the abutting street.

b. The Chief of Police shall cause a notice to be served upon the owner or occupant of all property where violations of this section exist, to remove such obstruction within one week from the service of such notice.

c. Upon failure to comply with such notice a separate violation shall be deemed to have occurred for every day that such obstruction is permitted to remain after one week from the service of such notice.

**Section 12.06. Injuring Vehicle.**—No person shall individually, or in association with one or more other persons, wilfully break, injure, tamper with, or remove any part or parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle; nor shall any person in any other manner wilfully or maliciously interfere with or prevent the operation or running of such vehicle.

**Section 12.07. Tampering with Vehicle.**

a. No person shall without the consent of the owner or person in charge of a vehicle, climb upon or into any such vehicle with the intent to commit any injury thereto or with the intent to commit any crime, whether such vehicle be in motion or at rest.

b. No person, without the consent of the owner or person in charge of a standing unattended vehicle, shall manipulate any of the levers, starting crank, brakes or other devices thereon; provided, however, that an operator of a motor vehicle may release the brakes and move a standing unattended vehicle for the purpose of extricating his vehicle from a parking location.

**Section 12.08. Putting Glass, Etc. on a Highway.**

a. No person shall throw or deposit upon any street or highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle on a highway.

b. Any person who drops, or permits to be dropped or thrown upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

c. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

**Section 12.09. Spilling Loads on Highways Prohibited.**—No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its contents or load from dropping, sifting, leaking or otherwise escaping therefrom.

**Section 12.10. Carrying Passengers on Trucks.**—It shall be unlawful for a driver of a truck or other vehicle designed and constructed for commercial purposes to use such vehicle for the transportation of passengers without a special permit from the Chief of Police. The Chief of Police shall issue such permit only after he is thoroughly satisfied that passengers can be transported with safety in such vehicle and that the driver of such vehicle is competent. Such permits shall be issued for not more than forty-eight (48) hour periods and shall bear the name of the driver, registration number of the vehicle, the owner's name, and the number of passengers allowed to be carried, and if carried for hire, the owner shall show financial responsibility or insurance to cover any accident that might arise while such vehicle is so used; provided, however, that where such vehicle is used in the regular course of business of the owner in transporting the employees of the owner to or from their respective places of employment, such permit may be issued for yearly periods.

**Section 12.11. Improper Use of Roads.**—It shall be unlawful to operate any vehicle upon any street or highway in such a manner that parts of the vehicle, or the load carried thereon, shall damage the road. For the purpose of this Ordinance, "Damage to the Road" shall be defined as such effect on the road or structures as will impair the riding qualities of the road, or require repairs in order that the anticipated life of the road or structure may not be decreased. The owner or operator of any vehicle causing damage to a highway shall be held responsible for all costs in restoring said highway to its condition prior to the damage.

**Section 12.12. Use of Flanges, Etc. on Wheels.**—No traction engine, road engine, hauling engine, trailer, steam roller, automobile, truck or other power vehicle shall be operated upon any street or highway, the face of the tires of which are fitted with flanges, ribs, clamps, cleats, lugs, chains, spikes or other projections

destructive to the road surface, other than rubber blocks. This regulation applies to all rings or flanges upon guiding or steering wheels on any such vehicle. In cases of traction engines and steam plows which are equipped or provided with flanges, ribs, clamps, cleats, rings or lugs, such vehicle shall be permitted to pass over any public highway provided that cleats are fastened upon all the wheels of such vehicles, not less than 2½ inches wide and not more than 1½ inches high, so placed that not less than two (2) cleats on each wheel shall touch the ground at all times, and that the weight shall be the same on all parts of said cleats. Vehicles of the track laying type shall not be operated on a highway unless the portion of the track in contact with the highway is provided with a smooth surface of sufficient area to carry the load of the vehicle without damage to the road.

**Section 12.13. Weight of Vehicles Restricted.**—No vehicle shall be operated or moved upon any street or highway, which has a total weight in excess of 26,000 pounds, including vehicles and load, when such vehicle is equipped with not more than four wheels running on the highway, or having a total weight of 34,000 pounds, including the vehicle and load, when said vehicle is equipped with six or more wheels and three or more axles and when the additional axle or axles shall be spaced not closer than forty-two (42) inches to the adjacent axles; provided, however, that for vehicles permitted a maximum gross load of 26,000 pounds the maximum axle load shall not exceed 20,000 pounds and the maximum wheel load shall not exceed 10,000 pounds, and for vehicles permitted a maximum gross load of 34,000 pounds, the maximum wheel load shall not exceed 7,000 pounds; provided, however, that in the case of semi-trailers used in connection with motor vehicles or tractors the combined load or gross weight shall be as follows: 43,000 pounds for two-axle tractors and single-axle semi-trailers; 52,000 pounds for two-axle tractors and two-axle semi-trailers; 52,000 pounds for three-axle tractors and single-axle semi-trailers; and 60,000 pounds for three-axle tractors and two-axle semi-trailers.

It shall be illegal to operate upon a street or highway any combination of motor vehicles, trailers and semi-trailers, the combined length of which exceeds eighty-five (85) feet.

A "Trailer" shall be construed to mean every vehicle without motive power designed for carrying

property or passengers wholly on its own structure and being drawn by another vehicle. A "Semi-trailer" shall be construed to mean a vehicle, equipped with brakes which can be operated from the driver's seat, having one or more wheels designed for use in connection with and drawn by another vehicle so that some part of its gross weight rests upon or is carried by such other vehicle.

Not more than one semi-trailer and one trailer shall be used in any one unit and where a trailer is pulled by a semi-trailer, it shall also be equipped with brakes which can be operated from the driver's seat.

For the purposes of this Section, axles placed in the same transverse plane which are closer than forty-two (42) inches shall be considered as one axle.

**Section 12.14. Limitation of Weight and Wear Defined.**—No vehicles equipped wholly or partly with metal tires or vehicles resting on any metal roller, wheel or other object or portion thereof in contact with the highway, the weight of which with its load exceeds five hundred (500) pounds upon any inch of width of the tire, shall be operated on any highway, provided, however, that traction engines or tractors, the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain known as a movable track, shall not be subject to the foregoing limitations upon permissible weight per inch of width of tire, if the portions of the movable track in contact with the highway present a plane surface.

No vehicle equipped with pneumatic tires, the weight of which with its load exceeds eight hundred (800) pounds per inch of width of tire shall be operated upon any public highway.

No vehicle equipped wholly or partly with solid tires, other than metal, the weight of which with its load exceeds six hundred (600) pounds on any inch of the channel base width of the tire used thereon, shall be operated upon any highway. The total width of all the tires on any one wheel shall be deemed the width of one tire.

No vehicle equipped with solid rubber tires shall be operated upon any public highway if the thickness of any such tire is less than the following table:

Width of Tire	Minimum Thickness in inches
3 inches to 5 inches, inclusive.....	1
6 inches to 8 inches, inclusive.....	1¼
10 inches and over .....	1½

No vehicle equipped with solid rubber tires shall be operated on any highway when the variation in width of the entire traction surface of any solid tire due to injury or wear shall exceed fifteen (15) per cent or when the variation in thickness on any part of the traction surface shall exceed fifteen (15) per cent, or when any portion of the rubber is not securely attached to the channel base. No dual solid rubber tires shall be permitted to be used on any highway if there is an average difference greater than one-eighth ( $\frac{1}{8}$ ) inch between the outside diameters of each of the single tires composing the dual tire.

**Section 12.15. Restricting the Use of Tantalus Road by Heavy Vehicles.**

a. No person shall drive any motor vehicle having an aggregate weight of vehicle and load in excess of eight (8) tons, in either direction over that part of Tantalus Road beginning from the mauka side of Papakolea Bridge to the junction of the Round Top-Makiki Road.

b. The provisions of this section shall not apply to authorized emergency vehicles, as defined in section 1.02, paragraph e, while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties, nor to vehicles, the owners or operators of which shall have obtained from the Chief of Police a permit authorizing the operation of such vehicle over the above described road. The Chief of Police shall issue such a permit only when it shall appear to his satisfaction that an emergency exists necessitating the issuance of such a permit.

**Section 12.16. Restricting the Use of the Pali Road by Heavy Vehicles.**

a. No person shall drive any truck in either direction over that part of the Pali Road from the summit down the windward side of the Pali to the Junction of Kamehameha Highway between the hours of 7:15

a.m. to 8:30 a.m., and from 4:15 p.m. to 5:30 p.m. on week-days, when such truck with load weighs in excess of three (3) tons.

b. Any person driving such a truck over the above described road at any time shall give the right of way to passenger vehicles to pass said trucks by proper hand signals whenever convenient or possible so to do.

c. The provisions of this section shall not apply to an authorized emergency vehicle, as defined in section 1.02, paragraph e, while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties, nor to vehicles, the owners or drivers of which shall have obtained from the Chief of Police a permit authorizing the operation of such vehicles over the above described road during the indicated hours. The Chief of Police shall issue such a permit only when it shall appear to his satisfaction that an emergency exists necessitating the issuance of such a permit.

**Section 12.17. Restricting the Use of Kaneohe Bay Drive and Maunawili Ranch Road by Heavy Vehicles.**

a. No person shall drive any truck in either direction over Kaneohe Bay Drive or Maunawili Ranch Road when such truck with load weighs in excess of three (3) tons.

b. The provisions of this section shall not apply to an authorized emergency vehicle, as defined in section 1.02, paragraph e, while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties, nor to vehicles, the owners or operators of which shall have obtained from the Chief of Police a permit authorizing the operation of such vehicles over the above described road or roads. The Chief of Police shall issue such permit only when it shall appear to his satisfaction that an emergency exists necessitating the issuance of such a permit.

**Section 12.18. Permission to Operate Certain Heavy Vehicles.**—The Chief Engineer of the Department of Public Works of the City and County may grant permission for the moving of heavy vehicles and objects mentioned in Sections 12.12, 12.13 and 12.14 and exceeding the height and width as specified in Section 11.02, over any highway, upon proper application in

writing being made therefor, and the said Chief Engineer may require a sufficient bond to protect the City and County from any loss or damage by reason of such operation and moving.

**Section 12.19. Signals on Starting, Stopping and Turning.**—The driver of any vehicle upon a public highway before starting, turning or stopping such vehicle shall first see that such movement, or cessation of movement, can be made in safety; then if any pedestrian may be affected by such movement the driver shall give a clearly audible signal by sounding a horn or other warning device, and whenever the operation of any other vehicle may be affected by this movement the driver shall give a signal plainly visible to the driver of such other vehicle of the intention to make such movement. Such visual signal may be given either by the use of the hand and arm in the manner hereinafter provided, or by means of a mechanical or electric device which meets the requirements hereinafter set forth and which has been approved by the Chief of Police.

Whenever the signal is given by means of the hand or arm, the driver shall indicate his intention to turn to the left by extending his hand and arm horizontally from and beyond the left side of the vehicle; his intention to turn to the right by extending his hand and arm upward and beyond the left side of the vehicle; and his intention to stop or to suddenly decrease speed by extending his hand and arm downward from and beyond the left side of the vehicle, showing the palm of the hand to the rear; provided, however, that in a right-hand drive vehicle, the driver shall indicate his intention to turn to the left by extending his hand and arm upward and beyond the right side of the vehicle; his intention to turn to the right by extending his hand and arm horizontally from and beyond the right side of the vehicle; and his intention to stop or to suddenly decrease speed by extending his hand and arm downward from and beyond the right side of the vehicle, showing the palm of the hand to the rear.

The signal herein required to be given before turning to the right or left, whether given by means of the hand and arm or by means of a mechanical or electric device approved by the Chief of Police shall be given continually during the last fifty (50) feet traveled by the vehicle before turning.

Signals by means of signal lights shall not be deemed to comply with the requirements of this Section.

The driver of a motor vehicle shall have such vehicle under control at all times and, in the event of a collision or other mishap, the fact that another driver failed to comply with the provisions of this Section shall not serve as a defense if he is otherwise at fault.

## **ARTICLE 13. PENALTIES, CONSTITUTIONALITY, ETC.**

**Section 13.01. Offenses Under Former Ordinances Saved.**—Nothing contained in any provision of this Ordinance shall apply to an act done or omitted or to an offense committed at any time before the day when this Ordinance shall become effective. Such act or omission shall be governed by, and any such offense shall be punished according to the provisions of the ordinances existing when such act, omission or offense occurred in the same manner as if this Ordinance had not been enacted.

**Section 13.02. Interpretation.**—Wherever consistent with the context of this Ordinance, words in the present, past or future shall be construed to be interchangeable with and to include such respective other tenses; and words in the masculine, feminine or neuter genders shall be construed to be interchangeable with and to include such respective other genders; and words in the singular number shall be construed to include the plural; and in the plural to include the singular, and each shall be construed to be interchangeable with the other.

**Section 13.03. Penalty.**—Any person convicted of a violation of any section or provision of this Ordinance shall be punished by a fine of not more than One Thousand (\$1,000.00) Dollars or by imprisonment in the Honolulu Jail for not more than one (1) year, or by both such fine and imprisonment.

**Section 13.04. Revocation or Suspension of License.**—In addition to the penalty heretofore provided, the court may revoke or may suspend, for a period not to exceed one year, the license of any operator or chauffeur convicted of a violation of any section or provision of this Ordinance involving a vehicle in motion.

**Section 13.05. Disposition of Fines and Forfeitures.**—All fines and forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any section or provision of this Ordinance shall be paid into the City and County Treasury and deposited in the General Fund of the City and County.

**Section 13.06. Constitutionality.**—If any section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each and every section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases thereof be declared unconstitutional.

**Section 13.07. Repeal.**—Ordinance No. 553 and all amendments thereto, Ordinances No. 517, No. 617, No. 620, No. 670, No. 700, No. 711, No. 714, No. 718, No. 731, No. 732, No. 746 and No. 750, and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 13.08. Effective Date.**—This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) PHILIP N. SING,  
Supervisor.

Date of Introduction:  
January 31, 1939.

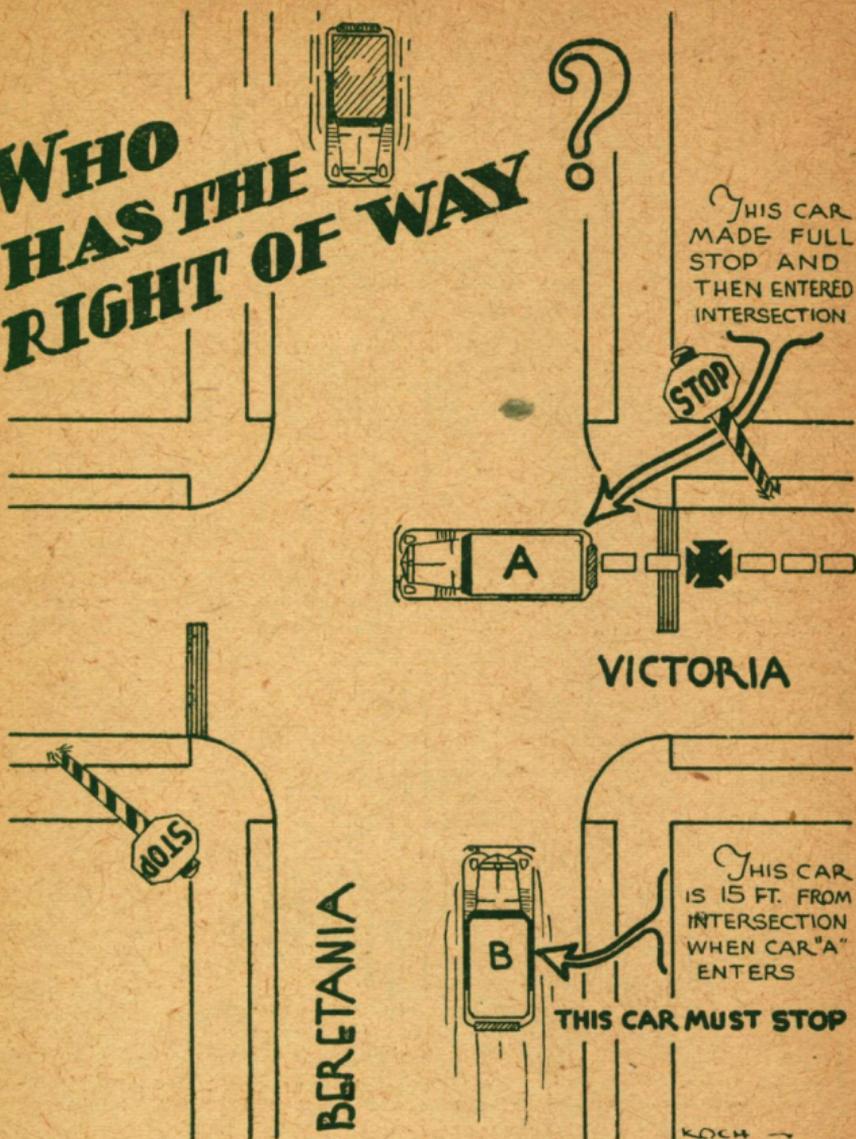
Approved this 16th day of May, A. D. 1939.

(S) C. S. CRANE,

Mayor, City and County of Honolulu.

8a. Right-of-way at "Stop" streets.

**WHO HAS THE RIGHT OF WAY?**



When a car comes to a full stop at the property line, it then has the right-of-way over traffic on the through street which has not yet entered the intersection. However, the car that has stopped should NOT exercise its right-of-way until it can be done with safety.

Through traffic **MUST** slow down and permit intersecting traffic to proceed when the Boulevard Stop has been made.

5. STOP behind street cars.

AUTOMOBILE PASSING STANDING STREET CAR

Honolulu Traffic Code  
Section 22

Figure 1.

When no safety zone, officer directing traffic, or stop and go signals.

Passengers boarding or alighting.

A must stop in rear of nearest door and remain standing until passengers have boarded or alighted and reached a place of safety.

Note - Motorist shall not at any time drive through or over a safety zone indicated by standards, raised markers or buttons.

Never pass to left of overtaken street-car unless directed to do so by a police or traffic officer.

PASSING A BUS.—Slow down and be on the lookout for passengers who may have alighted and are passing in front of the bus, when you pass a bus that has stopped at the curb to take on or discharge passengers.

## 8. Who has the right-of-way at intersections?

### RIGHT OF WAY RULE

Honolulu Traffic Code  
Section 66 (a)  
Figure 7

The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection.

C shall yield to A.



B shall yield to A



A is entitled to proceed.

When two vehicles enter an intersection *at the same time* the driver on the left shall yield to the driver on the right.

C shall yield to A.



B is entitled to proceed.



A shall yield to B but has right of way over C

Note - An intersection means the area within the extended curb lines or if none then the extended boundary lines of the traversable roadway.

PLAY SAFE.—Don't make yourself eligible for the epitaph:

"Here lies the body of Johnny Gray  
Who died maintaining his right-of-way."

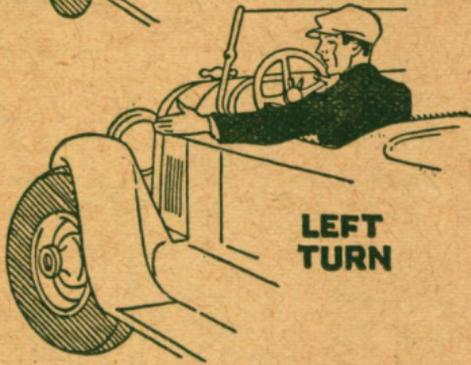
9. Always **SIGNAL** what you are going to do.

**HAND SIGNAL MUST ALWAYS BE GIVEN  
FROM THE LEFT SIDE OF VEHICLE**  
Signal must be given continuously during the last  
fifty feet traveled by the vehicle before turning

*Honolulu Traffic Code  
Section 65  
Figure 6*



**RIGHT  
TURN**



**LEFT  
TURN**



**STOP**

These hand signals are **VERY IMPORTANT**. Be sure that you make your signals carefully, so that the driver behind you can tell what you are going to do.

10. How to pass a car going in the same direction.  
(See Art. VII, Secs. 46, 47.)

## OVERTAKING AND PASSING

Honolulu Traffic Code  
Section 46

Figure 3

A may drive on left side of street or highway in overtaking or passing *only* when left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

A must return to right-hand side of highway within a safe distance from any approaching vehicle. This distance should not be less than 100 feet for safety.

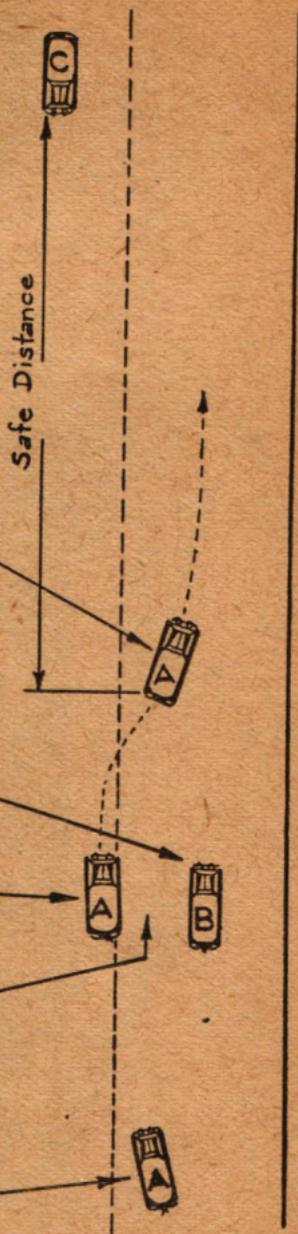
B must keep close to right-hand side and not increase speed.

A must not cut in too closely to B.

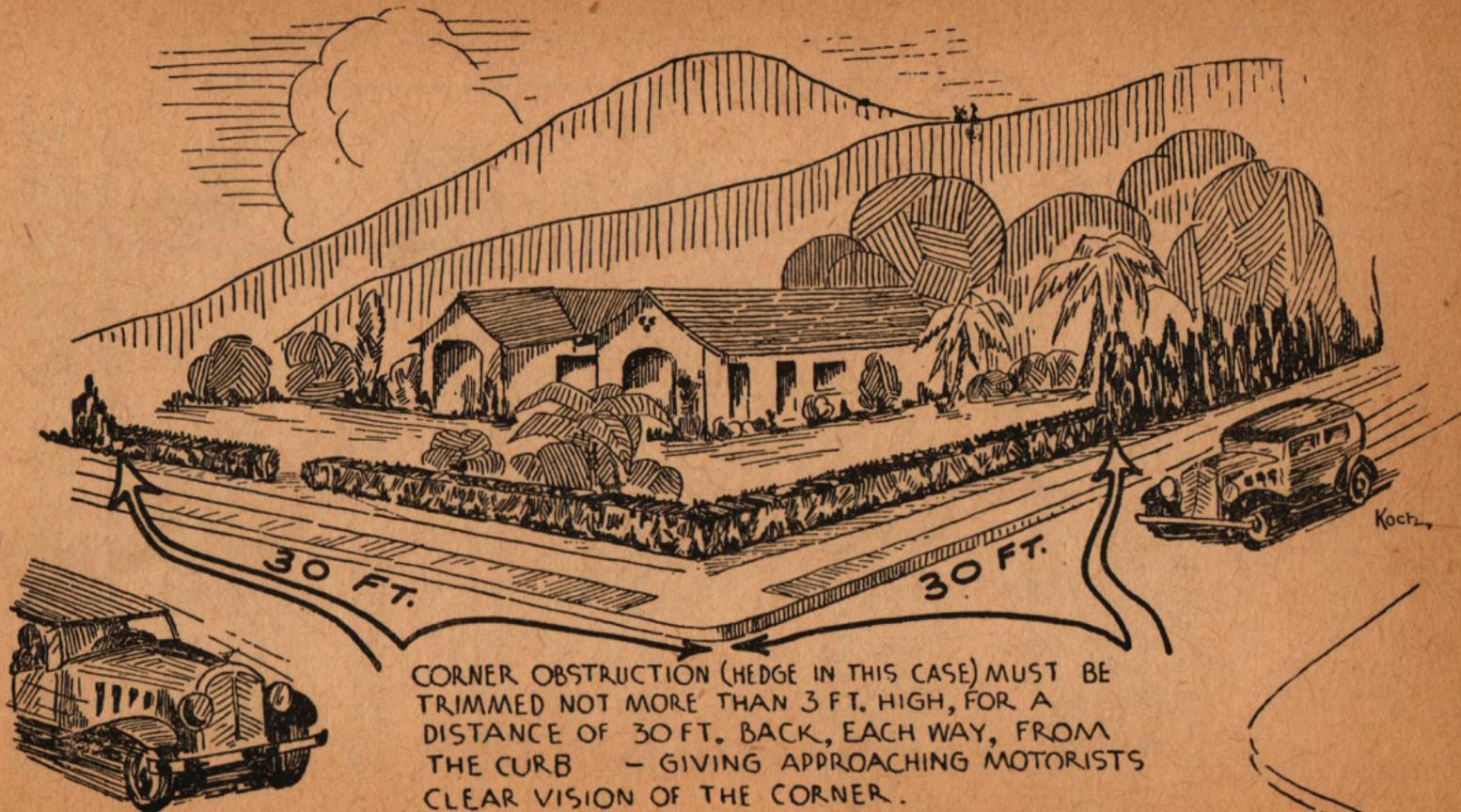
At least two feet clearance.

A must sound horn if outside business or residence district.

Must allow ample distance to overtake and pass safely.



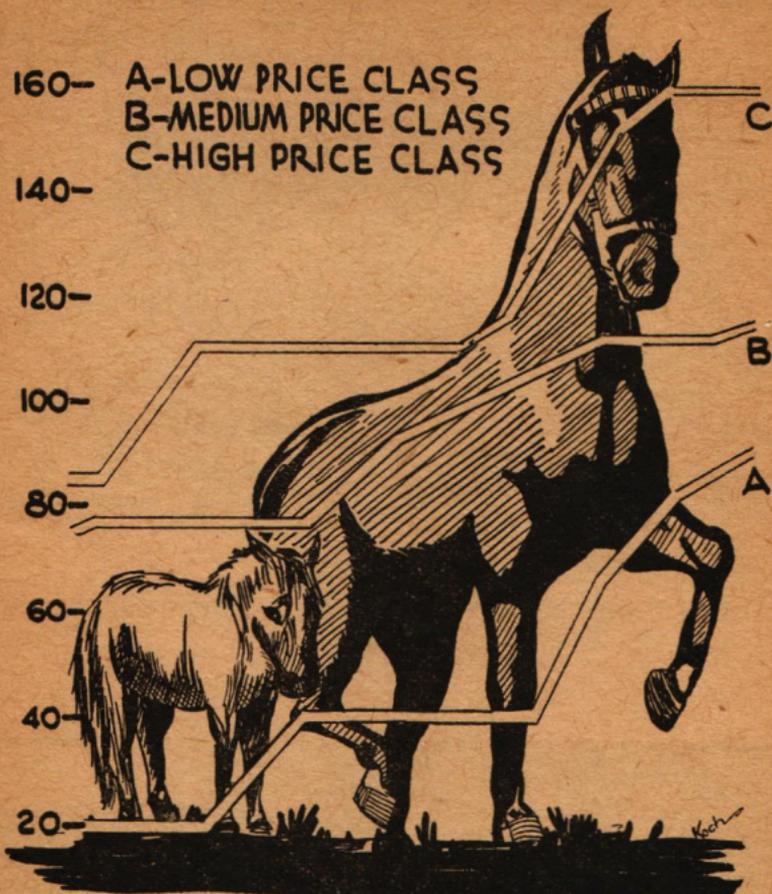
NOTE.—When a car is attempting to pass YOU, pull over to the right as far as possible and do not increase speed.



CORNER OBSTRUCTION (HEDGE IN THIS CASE) MUST BE TRIMMED NOT MORE THAN 3 FT. HIGH, FOR A DISTANCE OF 30 FT. BACK, EACH WAY, FROM THE CURB - GIVING APPROACHING MOTORISTS CLEAR VISION OF THE CORNER.

# HOW THESE HORSES HAVE GROWN!

160- A-LOW PRICE CLASS  
 140- B-MEDIUM PRICE CLASS  
 120- C-HIGH PRICE CLASS



07  
 YEAR 1925 '26 '27 '28 '29 '30 '31 '32 '33 '34





### **SPEEDING**

caused this car to crash into a tree, overturn and burn up. Two dead, car total loss.



This is what nearly always happens. Always cross the street at an intersection, even when playing.

# A DIGEST OF TERRITORIAL LAWS RELATING TO TRAFFIC

Published by Courtesy of  
the Home Insurance Company.

## DRIVING LICENSES

Two classes of driving licenses are issued in the Territory—chauffeur's and operator's. A chauffeur's license authorizes the licensee to drive a motor vehicle while in use as a public or common carrier of persons or property. An operator's license authorizes the licensee to drive any motor vehicle, other than a motor vehicle in use as a public or common carrier of persons or property.

**Driving License Required.** It is unlawful for any person to drive any motor vehicle upon any highway without having in his possession a valid operator's or chauffeur's license, issued by the Examiner of Chauffeur's. Such license shall be exhibited on demand of any police officer and, in case of an accident, it shall be exhibited to the person struck or to the driver or occupant of or person attending the vehicle collided with.

### Persons Exempt from License Requirements:

- (1) Any person while driving a motor vehicle in the service or employ of a branch or agency of the Federal Government, if he have a permit from such Federal branch or agency.
- (2) Any person while operating any road machine farm tractor or implement of husbandry temporarily moved on a highway.

**Nonresident with foreign license,** who is at least 20 years of age, may be granted a 90-day permit.

### Persons Not to Be Licensed:

- (1) Any person whose license has been suspended, during the suspension period;
- (2) Any person within one year after revocation, when license has been revoked;
- (3) Any person as a **chauffeur** who is under 20 years of age;
- (4) An adjudged habitual drunkard, drug addict, insane person, idiot, epileptic or imbecile;

- (5) Any person suffering from physical or mental disability which will prevent the exercise of reasonable and ordinary care;
- (6) Any person who fails to pass required examination;
- (7) Any person, as an operator, who is under 15 years of age;
- (8) Any person who, being required to furnish financial responsibility, fails to do so.

**Age Limit of School Bus, Public and Common Carrier Drivers**—No person under 20 years shall drive a school bus, public or common carrier of persons or property; and in no event shall any person so drive unless licensed as a chauffeur.

**General Requirements for Issue of Chauffeur's License:**

- (1) One year, at least, of driving experience.
- (2) Certificates of three responsible persons as to applicant's good character and habits.
- (3) Examiner shall be satisfied as to applicant's competency and fitness.
- (4) Applicant must have already been issued an operator's license.

**Chauffeur's Badge**—Chauffeur shall wear issued badge on cap, hat or clothing.

**Expiration and Renewal of Chauffeur's License**—Every chauffeur's license shall expire one year from date of issue and may be renewed upon application and payment of one dollar renewal fee. Requirement of re-examination upon renewal is within discretion of Examiner.

**Instruction Permits**—Any person who, except for his lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain an operator's license may apply for a temporary instruction permit. Such a permit, when issued, shall entitle the applicant, while having such permit in his immediate possession, to drive a motor vehicle for a period of 60 days; provided, that except when operating a motorcycle, such person must be accompanied by a licensed driver who shall occupy a seat beside him.

**Applications** for all licenses and permits shall be verified under oath and shall be accompanied by a \$3.00 fee.

**Applications of Minors**, under 20 years of age, shall be signed and verified under oath by parents or guardian and if there is neither parents nor guardian, then by an employer or some responsible person. Negligence or misconduct of minor driver shall be imputed to person so signing driving application of minor.

**Examinations**—Every applicant for driving license shall be examined both physically and mentally as the Examiner finds necessary to determine applicant's fitness to drive, his understanding of traffic highway signs, knowledge of traffic laws and the applicant shall be required to give a practical demonstration of ability to satisfactorily operate a motor vehicle.

**Examiner of Chauffeurs May Cancel Any License** upon determining that licensee was not entitled thereto or that he gave incorrect information or committed any fraud. The licensee shall forthwith surrender license and any issued badge to Examiner of Chauffeurs. In all such cases the licensee has the right of appeal to a Circuit Judge at Chambers.

**Mandatory Revocation by a Court**—The court has no discretion but is obliged by law to revoke the driving license of any person convicted of any of the offenses set forth on pages 30 and 31, under the caption "Mandatory Revocation of License by Court."

**Discretionary Revocation or Suspension by a Court** may be effected upon conviction of any offense involving a vehicle in motion. Suspension shall not be for a longer period than one year and, when a license has been revoked by the court, either mandatorily or in the exercise of the court's discretion, the Examiner shall not issue a new license until after the expiration of one year from the date of such revocation. Furthermore, should the reason for revocation be conviction for drunk driving or heedless and furious driving, financial responsibility must also be furnished.

**Appeal Lies From Examiner of Chauffeur's Decision** in denying license after three unsuccessful examinations, refusal of examination or cancellation of license. Such appeals shall be finally decided by a Circuit Judge at Chambers.

**Under the Chauffeur's and Operator's Licensing Act, It Is a Misdemeanor:**

- (1) To have in one's possession or to display or permit to be displayed any cancelled, revoked, suspended,

- fictitious or fraudulently altered operator's or chauffeur's license.
- (2) To lend one's operator's or chauffeur's license to any other person or knowingly permit the use thereof by another.
  - (3) To display or represent as one's own any operator's or chauffeur's license not issued to him.
  - (4) To fail or refuse to surrender to the Examiner of Chauffeurs upon lawful demand any operator's or chauffeur's license which has been suspended, revoked or cancelled.
  - (5) To use a false or fictitious name in any application for an operator's or chauffeur's license or to knowingly make a false statement or conceal a material fact or otherwise commit fraud in any application.

**Driving While License Is Cancelled, Suspended or Revoked** is a misdemeanor, punishable by a fine of not less than \$25 and not more than \$1,000 or by a jail sentence of not more than one year, or by both such fine and imprisonment.

**General Penalty for Misdemeanor Under Chauffeur's and Operator's Licensing Act** is a fine of not more than \$500 or by a jail sentence of not more than 6 months, or by both such fine and imprisonment.

### **FINANCIAL RESPONSIBILITY**

The purpose of the financial responsibility law is to protect the public against loss by acts of operators whose records show carelessness or disregard of law, because of violations, accidents or unsatisfied judgments.

**Proof of Financial Responsibility** means proof of ability to respond in damages resulting from the operation or ownership of a motor vehicle and arising by reason of personal injury to, or death of, any one person in the amount of \$5,000. Where two or more persons are injured or killed in the same accident, the financial responsibility requirement is \$10,000; provided, however, that the limit for each person injured or for each death shall be \$5,000. For damage to property, the financial responsibility requirement shall be at least \$1,000.

#### **When Required:**

- (1) Prior to the issue of, or the restoration of, an

operator's or chauffeur's license to any person whose license has been revoked by a court upon a conviction for driving while intoxicated or heedless or furious driving.

- (2) Before an operator can renew his license if he has, by reason of his negligence, been involved in two or more accidents during the preceding 12 months which resulted in death or personal injury or property damage, amounting in the aggregate to more than \$200. The amount of damage to applicant's vehicle shall be included in determining the aggregate amount.
- (3) When a person fails to satisfy a final judgment of \$100 or more resulting from a motor vehicle accident within 15 days from the date of judgment. As soon as the Treasurer of the Territory, who is charged with the administration of the Financial Responsibility Law, receives a certificate of such final judgment, he shall suspend any driving license and such suspension shall continue until the furnishing of financial responsibility for possible future accidents.

**How to Comply**—As heretofore stated, the Financial Responsibility Law requires \$5,000 as the maximum amount to be paid for the injury or death of one person; \$10,000 for two or more persons injured or killed in the same accident; and \$1,000 for damage to property. Proof of financial responsibility can be established by securing an operator's insurance policy for this amount, by furnishing a surety bond, or by depositing cash in the amount of \$11,000 with the Treasurer of the Territory.

**Motor Vehicle Operator's Policy**—When financial responsibility is required as a condition precedent to the issuance of, or restoration of, or lifting of the suspension of, a driving license, the requirement may be met by a written certificate of an authorized insurance company stating, in substance, that it has issued to the applicant a "motor vehicle operator's policy" which will remain in full force and effect until after ten day's notice of cancellation shall have been given to the territorial treasurer. This type of policy covers the legal liability growing out of the use and operating by the insured applicant of any motor vehicle not owned by him.

**Motor Vehicle Liability Policy**—When financial responsibility is required as a condition precedent to the issuance of, restoration of, or lifting of the suspension of, a motor vehicle registration, the requirement may be met by a written certificate of an authorized insurance company stating, in substance, that it has issued to the applicant a “motor vehicle liability policy” which will remain in full force and effect until after ten days’ notice of cancellation shall have been given to the territorial treasurer. This type of policy covers the legal liability arising from the maintenance, use and/or operation of only such motor vehicles as are owned and registered in the name of the insured and operated by him or by any other person with the express or implied permission of the insured.

**Duration of Time That Proof of Financial Responsibility Must Be Maintained**—Whether required as a condition precedent to the obtaining of a driving license or the registration of a motor vehicle, proof of financial responsibility must thereafter be maintained. Should the insurance policy lapse or the security of a bond or cash deposit diminish, the treasurer shall suspend the driving license or certificate of registration until proof sufficient in amount has again been furnished. The city and county treasurer shall cancel the registration of any motor vehicle when notified by the territorial treasurer that a required proof of financial responsibility has not been furnished. Such cancellation shall affect all vehicles registered in the name of the delinquent.

**Penalties:**

- (1) It is a misdemeanor to drive a vehicle while the driving license is suspended or revoked, punishable by imprisonment for not more than one year or by a fine of not more than \$1,000, or by both such fine and imprisonment.
- (2) Any person, who, after securing a refund of his cash or after the cancellation of a bond which has been deposited with the territorial treasurer as proof of financial responsibility, or after the lapse of an insurance policy secured for the same purpose, shall continue to drive a motor vehicle, shall be guilty of a misdemeanor and shall be punished by imprisonment for not more than one year or by a fine of not more than \$1,000, or by both such fine and imprisonment.

## REGISTRATION OF MOTOR VEHICLES AND MOTOR WEIGHT TAX

Every motor vehicle operated on the streets of the city and county shall be registered with the City and County Treasurer and shall be equipped with registration number plates issued by the said treasurer. Other than the payment of the motor weight tax, there shall be no charge for registration.

**Expiration and Renewal of Registration and Due Date of Tax**—Every motor vehicle registration shall expire on December 31st and must be renewed before March 1st, next following; provided, however, that the new registration certificates shall be issued under the effective date of January 1st. In like manner, the motor weight tax is due and payable on January 1st but must be paid before March 1st.

### Computation of Motor Weight Tax:

- (a) Motor Vehicles designed solely for carrying passengers, which classification shall include, automobiles, busses, ambulances and hearses, one-half cent per pound of net weight.
- (b) Motor vehicles and other vehicles designed for carrying property or for purposes other than the carriage of passengers, including trucks, truck tractors and road tractors, trailers and semi-trailers, one cent per pound of net weight.
- (c) After the initial payment of the tax, a vehicle need not be reweighed in any succeeding year unless the vehicle has been so altered as to increase or diminish the weight thereof.

**Prorating of Tax**—Where a vehicle has been acquired after January 1st of any year, or is to be removed permanently from the Territory for the balance of the current year, or is to be junked and plates surrendered,  $8\frac{1}{2}\%$  of the amount of the annual tax for each calendar month, during which the vehicle was not acquired or owned, or representing the balance of the current year that the vehicle is out of the Territory or the balance of the current year after junking and surrender of plates, shall be deducted from the annual tax.

**Nonresidents** are exempt from the requirements relative to the payment of the motor weight tax and Territorial registration, provided that they have com-

plied with the tax and registration requirements of the state or county of their domiciles.

**Number Plates**—Upon receipt of the motor weight tax, the treasurer shall, upon application therefor, register the vehicle, issue a certificate of registration and a certificate of ownership, in case the legal owner is other than the registered owner, and upon the payment of a \$1.00 fee, a set of number plates carrying the assigned registration number. No vehicle shall be driven on any highway without such plates being attached to the front and rear.

**Application for Registration**—After, or simultaneously with the payment of the motor weight tax, application may be filed for the registration of a motor vehicle. If the treasurer is satisfied as to the genuineness and regularity of the application, he shall assign the vehicle a registration number and issue a certificate of registration to the owner or registered owner of the vehicle and a certificate of ownership to the legal owner, if other than the registered owner.

**Definition of Owner and Legal Owner**—The "owner" or "registered owner" to whom a certificate of registration is issued, is the person having the lawful use or control or the right to the use and control of the vehicle, under a lease or otherwise for a period of ten or more successive days. The "legal owner," to whom a certificate of ownership is issued, is the person who holds the legal title to a motor vehicle or a mortgage thereon.

**Obliterating Motor Number** on a motor vehicle is a misdemeanor.

**Procedure on Sale or Transfer of Motor Vehicle:**

- (1) Form on reverse side of ownership certificate to be filled out and signed and, within ten days, filed with treasurer.
- (2) Until treasurer shall have issued new certificate of ownership and of registration, title shall be deemed not to have passed and transfer shall be ineffective for any purpose.

**Refusal or Neglect to Deliver to Transferee Entitled Thereto a Certificate of Ownership** is a misdemeanor.

**Special Provisions Governing Dealers in Motor Vehicles**—Instead of registering each individual vehicle, a dealer may make application for a distinctive number and/or symbol. The certificate of registration thereupon issued shall contain the name and business address of the dealer and the general distinctive number or symbol. Any vehicle sold by the dealer shall be regarded as registered under such number until ten days after the sale and, upon any sale, transfer or lease, the dealer shall forthwith notify the treasurer.

**Nonresidents**—As previously stated, a nonresident owner is not required to pay the motor weight tax, if he has complied with the tax and registration laws of the state or country of his domicile. But, within ten days after undertaking to drive his vehicle in the Territory, he shall apply to the treasurer for a special registration certificate which shall be valid for not longer than three months. Such distinctive registration certificate shall be pasted on the front windshield and at all times during the tenure of said certificate, the foreign number plates issued for the specific vehicle for the current year, shall be displayed on the front and rear.

## DRIVING ETHICS

Drive your car as though "half the world was deaf, dumb or blind" and their safety was in your keeping.

Keep your car under control at all times so as to be able to meet any emergency that may arise.

Keep upermost in mind the rights and privileges of other drivers and pedestrians and observe the Golden Rule.

Slow down at crossings, intersections, schools and other places where care and caution should be used.

Never pass slower-moving vehicles on hills, curves or crossings.

Signal when about to stop, or make a turn out of the traffic line and watch for signals of the cars ahead.

Keep to the right of the center of the roadway and comply with all traffic signs, traffic lights and roadway markings.

Make sure the road behind you is clear before backing up, and give proper signals before pulling away from the curb.

Adapt your driving to weather and road conditions and be on guard against rain, wet roads, soft spots, ruts, obstructions and traffic jams.

Know the laws of the city and county and of the territory and obey all traffic and parking regulations.

Uphold the authorities as they endeavor to protect life and property from incompetent and careless drivers.

Set an example for highway courtesy and, by promoting safety, prevent sorrow.

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