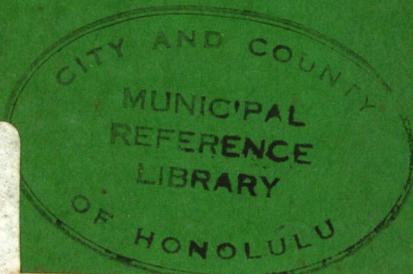


TRAFFIC CODE

City and County of Honolulu

Ordinances Nos. 1128 and 1129

Sept. 16, 1948



KFX 1512.15  
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**For Reference**

**Not to be taken from this room**

Honolulu Ordinances, etc.

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# ORDINANCE NO. 1128

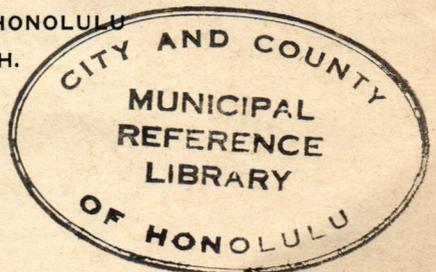
BILL NO. 26 (1948)

# TRAFFIC CODE

AN ORDINANCE TO REPEAL TITLE VII, CHAPTER 15, OF THE REVISED ORDINANCES OF HONOLULU 1942, TO-WIT: SECTIONS 1200 TO 1331 THEREOF INCLUSIVE, AS AMENDED, RELATIVE TO THE TRAFFIC CODE; AND TO ENACT IN LIEU THEREOF PROVISIONS PERTAINING TO DEFINITIONS, TRAFFIC ADMINISTRATION, ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS, ACCIDENTS, TRAFFIC CONTROL DEVICES, SPEED RESTRICTIONS, TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING, ONE-WAY STREETS, RIGHT-OF-WAY, SPECIAL STOPS, STOPPING, STANDING AND PARKING, MISCELLANEOUS RULES, PEDESTRIANS' RIGHTS AND DUTIES, OPERATION OF BICYCLES AND PLAY VEHICLES, EQUIPMENT, INSPECTION OF VEHICLES, SIZE, WEIGHT AND LOAD, PENALTIES AND PROCEDURE ON ARREST; ALL PERTAINING TO TRAFFIC.

1948

CITY AND COUNTY OF HONOLULU  
HONOLULU, T. H.



DCP-1948

ORDINANCE NO. 1128

THE NO. 201940

TRAFFIC CODE

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# ORDINANCE NO. 1128

BILL NO. 26 (1948)

AN ORDINANCE TO REPEAL TITLE VII, CHAPTER 15, OF THE REVISED ORDINANCES OF HONOLULU 1942, TO-WIT: SECTIONS 1200 TO 1331 THEREOF INCLUSIVE, AS AMENDED, RELATIVE TO THE TRAFFIC CODE; AND TO ENACT IN LIEU THEREOF PROVISIONS PERTAINING TO DEFINITIONS, TRAFFIC ADMINISTRATION, ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS, ACCIDENTS, TRAFFIC CONTROL DEVICES, SPEED RESTRICTIONS, TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING, DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING, ONE-WAY STREETS, RIGHT-OF-WAY, SPECIAL STOPS, STOPPING, STANDING AND PARKING, MISCELLANEOUS RULES, PEDISTRIANS' RIGHTS AND DUTIES, OPERATION OF BICYCLES AND PLAY VEHICLES, EQUIPMENT, INSPECTION OF VEHICLES, SIZE, WEIGHT AND LOAD, PENALTIES AND PROCEDURE ON ARREST; ALL PERTAINING TO TRAFFIC.

BE IT ORDAINED by the People of the City and County of Honolulu:

**SECTION I. PURPOSE OF ORDINANCE.** The provisions herein-after set forth in this Ordinance are necessary to secure an adequate and improved code for the regulation and control of traffic upon the streets and highways of the City and County of Honolulu.

## SECTION II. DEFINITIONS.

1. **Definition 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 Section, unless it shall be apparent from the context that a different meaning is intended.

### 2. Vehicle, 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 upon rails.

c. **Authorized emergency vehicle.** Any vehicles of the fire department, police vehicle, all ambulances, and such emergency vehicles of government departments or used in public service as are designated or authorized by the Board of Supervisors.

d. **Truck.** Every motor vehicle designed, used, or maintained primarily for the transportation of property.

e. **Bus.** Every motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

f. **School bus.** Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for the transportation of children to or from school.

g. **Reconstructed vehicle.** Any vehicle 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.

**h. Truck tractor.** Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**i. Farm tractor.** Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

**j. Road tractor.** Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**k. Trailer.** Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**l. Semi-trailer.** Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

**m. Pole trailer.** Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

**n. Bicycle.** Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

**o. Motorcycle.** Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

**p. Motorscooter.** Any vehicle hung low on two or more wheels and propelled by a gasoline engine of not more than ten horsepower

**q. Railroad.** A carrier of persons or property upon cars operated upon stationary rails.

**r. Railroad train.** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

### 3. Pneumatic tire, etc., defined.

**a. Pneumatic tire.** Every tire in which compressed air is designed to support the load.

**b. Solid tire.** Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

**c. Metal tire.** Every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

**4. Traffic defined.** Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances, either singly or together,

while using any street for the purposes of travel.

5. **Right-of-way defined.** The privilege of the immediate priority of use of the roadway.

6. **Stop, etc., defined.**

a. **Stop.** When required means complete cessation of movement.

b. **Stop, stopping or standing.** When prohibited means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

c. **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 either freight or passengers.

7. **Official time standard, etc., defined.**

a. **Official time standard.** Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the City and County of Honolulu.

b. **Public holiday.** 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.

8. **Explosives, etc., defined.**

a. **Explosives.** Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

b. **Flammable liquid.** Any liquid which has a flash point of 70 F., or less, as determined by a tabliabue or equivalent closed-cup test device.

9. **Persons, etc., defined.**

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

b. **Driver.** Every person who drives or is in actual physical control of a vehicle.

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

d. **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.

e. **Owner.** A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Ordinance.

10. **Street, etc., defined.**

a. **Street or highway.** The entire width between the boundary lines of every way publicly maintained when any part thereof is

open to the use of the public for purposes of vehicular travel.

b. **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.

c. **Roadway.** That portion of a street or highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

d. **Sidewalk.** That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

e. **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.

f. **Laned roadway.** A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

g. **Through highway.** 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 at points of entrance or crossing is controlled by police officers or official traffic control signals.

h. **Limited-access highway.** Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the Board of Supervisors.

i. **Intersection.** The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadway 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.

j. **Crosswalk.** (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

(2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

k. **Channelized intersection.** The intersection of two or more streets whereat traffic is directed by means of raised curbs or painted pavement markings along a special lane or channel for right turns, left turns or straight through movements.

l. **Acceleration lane.** A short supplementary traffic lane immediately adjacent to an intersection by use of which vehicles may enter the intersecting roadway and accelerate to the general speed of passing traffic thereon before emerging onto the continuous lanes of such roadway.

m. **Decelerating lane.** A short supplementary traffic lane immediately adjacent to an intersection by use of which vehicles may leave the continuous lanes of a roadway and decelerate for a stop or a turn without retarding the flow of traffic on the continuous lanes of the roadway.

n. **Medial strip.** A strip or area lying along the middle and between the paved portions of a highway which is designed to divide vehicular traffic on such highway into two opposite directions. The term shall not include traffic lines painted on a highway.

o. **Divided highway.** A highway divided into two or more separate roadways by medial strips.

**11. Safety zone, etc., defined.**

a. **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.

b. **Curb loading zone.** A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

c. **Passenger curb loading zone.** A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

d. **Freight curb loading zone.** A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

**12. Traffic control devices, etc., defined.**

a. **Official traffic control devices.** All signs, signals, pavement markings, and devices not inconsistent with this Ordinance, placed or erected by authority of the Board of Supervisors or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

b. **Traffic control signals.** Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

c. **Railroad sign or signal.** Any sign, signal, or device erected by authority of the Board of Supervisors or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

**13. Business district, etc., defined.**

a. **Business district.** The territory contiguous to and including a roadway when within any 600 feet along such roadway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

b. **Residence district.** The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with dwellings or dwellings and buildings in use for business.

**14. Gross weight defined.** The weight of a vehicle without load plus the weight of any load thereon.

**SECTION III. TRAFFIC ADMINISTRATION.**

**1. Board of Supervisors to exercise certain functions by resolution.** The Board of Supervisors shall by resolution:

a. Determine and designate the type of all official traffic control devices; provided, however, that insofar as local conditions permit, such official traffic control devices shall be uniform, shall correlate with and, as far as possible, conform to, the standard then current as approved by the American Association of State Highway Officials;

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. Create, define, re-define, eliminate or change all safety

zones, quiet zones, play streets, traffic lanes, crosswalks, loading zones, no-parking zones, time-limit parking zones, bus stops, angle parking areas, stop intersections and designate the type of markings to be placed and maintained for the identification of such zones or 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, pavement markings 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.

## **2. City Traffic Engineer.**

a. There shall be a City Traffic Engineer in the Department of Public Works, who shall be appointed by, and be a deputy of, the Chief Engineer of the City and County of Honolulu.

b. It shall be the duty of the City Traffic Engineer to determine the proper timing and maintenance of traffic control devices, to conduct engineering analyses of accidents, to conduct engineering investigations of traffic conditions and to cooperate with the Territorial Highway Department and the Federal Highway agencies, when concerned, and other officials of the City and County in the development of ways and means to prevent accidents, expedite the movement of traffic and otherwise improve traffic conditions, and to carry out the additional powers and duties imposed by this Ordinance. It shall be his duty, within the means made available, to place and maintain traffic control devices when and as required under this Ordinance.

c. The City Traffic Engineer may establish, place and maintain such signs, signals, pavement markings and other traffic control devices as he may deem necessary when special occasions or emergencies warrant such action; but when there is in his opinion an apparent need for such traffic control devices to remain in use for a period of time exceeding one month, application must be made to the Board of Supervisors for approval of said traffic control devices.

d. All traffic control devices so placed or maintained by the City Traffic Engineer shall be uniform, shall correlate with and, as far as possible, conform to, the standard then current as approved by the American Association of State Highway Officials.

## **3. 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 determined 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.

c. All moneys collected by the Traffic Safety Commission shall be kept by the City and County Treasurer in a fund to be known as "The Traffic Safety Commission Fund" and shall be disbursed by the City and County Treasurer only upon warrants issued by the Auditor on vouchers signed by the chairman or acting chairman of the Commission or by such officer or employee as the Commission may authorize.

#### **SECTION IV. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS.**

##### **1. Authority of police and fire department officials.**

a. It shall be the duty of the officers of the police department or such officers as are assigned by the Chief of Police to enforce the provisions of this Ordinance and all of the territorial vehicle laws applicable to street traffic in the City and County of Honolulu.

b. Officers of the police department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with the provisions of this Ordinance; provided, however, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions herein.

c. Officers of the police department are hereby authorized to display portable signs within certain intersections forbidding vehicle drivers to perform specific maneuvers. Intersections subject to such control shall be determined by the Board of Supervisors. Said portable signs shall only be displayed at a specified intersection during times of traffic congestion when, in the opinion of the Chief of Police, such restrictions are necessary to expedite the movement of traffic through the intersection.

d. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

##### **2. 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.

**3. Obedience to police officers.** No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic.

##### **4. Public officers and employees to obey traffic regulations.**

The provisions of this Ordinance shall apply to the driver 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 such driver to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance or by any other ordinance of the City and County of Honolulu or by any federal or territorial law.

##### **5. Exemptions to authorized emergency vehicles.**

a. The provisions of this Ordinance regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, as hereinbefore defined; except as follows:

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

(1) Park or stand notwithstanding the provisions of this Ordinance;

(2) Proceed past a red light or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the speed limits so long as he does not endanger life or property;

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

b. The exemptions hereinabove granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell, or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to others.

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

**6 Persons propelling push-carts or riding animals to obey traffic regulations.** Every person propelling any push-cart or riding an animal upon a roadway, 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.

**7. Use of coasters, roller skates and similar devices restricted.** No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk. When so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

**8. Operation of vehicles on approach of authorized emergency vehicles.**

a. Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when its driver is giving audible signal by siren, bell, or exhaust whistle, the driver of every other 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 edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

b. The foregoing provisions shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons and vehicles using the roadway.

## **SECTION V. ACCIDENTS.**

**1. 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 paragraph 3 of Section V. Every such stop shall be made without obstructing traffic any more than is necessary.

**2. 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 paragraph 3 of Section V. Every such stop shall be made without obstructing traffic any more than is necessary.

**3. 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.

**4. 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.

**5. Duty upon striking fixtures upon a highway.** The driver of any vehicle involved in an accident resulting only in damage 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 by this Ordinance.

**6. Immediate reports of accidents.** The driver of any vehicle involved in an accident resulting in injury to or death of any person or in total property damage to an apparent extent of twenty-five dollars or more shall immediately by the quickest means of communication give notice of such accident to the police department. In the event no agreement can be reached by the persons whose property is involved as to the amount of property damage sustained, the accident shall be reported immediately to the police department.

**7. Subsequent reports of accidents.**

a. The driver of a vehicle involved in an accident resulting in injury to or death of any person or in total property damage to an apparent extent of twenty-five dollars or more shall, within 24 hours after such accident, report such accident in writing or in person to the police department.

b. The police department may require any driver of a vehicle involved in an accident of which report must be made as provided herein to file supplemental reports whenever the original report is insufficient in the opinion of the said department and may require witnesses of accidents to render reports to the said department.

c. Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as provided herein, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within 24 hours after completing such investigation, forward a written report of such accident to the police department.

**8. When driver unable to report.** Whenever the driver of a vehicle is physically incapable of making an immediate or a written report of an accident as required in paragraphs 6 and 7 of Section V, and there was another occupant in the vehicle at the time of the

accident capable of making a report, such occupant shall make or cause to be made said report not made by the driver.

**9. Accident report forms.**

a. The police department shall prepare and upon request supply to garages and other suitable agencies or individuals, forms for accident reports required hereunder, appropriate with respect to the persons required to make such reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose with reference to such accidents the causes, conditions then existing, and the persons and vehicles involved.

b. Every accident report required to be made in writing shall be made on the appropriate form approved by the police department and shall contain all of the information required therein unless unavailable.

**10. Garages to report.** 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 of which report must be made as provided in paragraph 7 of Section V, or struck by any bullet, shall report to the police department within 24 hours after such motor vehicle is received, giving the engine number, license number, and the name and address of the owner or driver of such vehicle.

**11. Accident reports confidential.** All accident reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department or other City and County agencies having use for the records for accident prevention purposes, 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 such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the police department shall furnish upon demand of any person who has, or claims to have, made such a report or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the police department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the police department.

**12. Police department to tabulate and analyze accident reports.** The police department shall tabulate and may analyze all accident reports and shall publish annually, or at more frequent intervals, statistical information based thereon as to the number and circumstances of traffic accidents.

**13. Copies of reports to be furnished Traffic Safety Commission.** The Chief of Police shall furnish true copies of all accident reports and supplemental reports, within forty-eight hours from the filing thereof, to the Traffic Safety Commission.

**SECTION VI. TRAFFIC CONTROL DEVICES.**

**1. Obedience to official traffic control devices.** The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, 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 authorized emergency vehicle.

**2. When traffic devices are required for enforcement purposes.** When the use of signs, signals, pavement markings or other traffic control devices is expressly required by any provisions of this Ordinance to be placed at the particular locations involved to give

notice of the existence and application or operation of any such provision, there shall be no prosecution for violation of such provision, unless at the time and place of the alleged violation such signs, signals, pavement markings or other official traffic control devices were placed in accordance with the requirement of such provision and were sufficiently legible or understandable to a person of ordinary understanding or observation. Whenever any particular provision of this Ordinance does not state that signs, signals, pavement markings or other traffic control devices are required, such provision shall be effective even though no signs, signals, pavement markings or other traffic control devices are erected or in place.

**3. Traffic control signal legend.** Whenever traffic controlled by traffic control signals exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively, one at a time, or with arrows, the following colors only shall be used and said words and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

a. Green alone or "Go".

(1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent 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) Vehicular traffic facing the signal is thereby warned that the Red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the Red or "Stop" signal is exhibited.

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

c. Red alone or "Stop".

(1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain standing until the Green or "Go" signal is exhibited alone.

(2) No pedestrian facing such signal shall enter the roadway within a crosswalk or otherwise.

d. Red with green arrow.

(1) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement in the direction indicated by such green arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(2) No pedestrian facing such signal shall enter the roadway whether in a crosswalk or otherwise.

e. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions hereinabove set forth shall be applicable except as to those provisions which by their nature can have no application.

f. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the nearest crosswalk at the intersection.

**4. Pedestrian control signals.** Whenever special pedestrian control signals exhibiting the words "Walk" or "Wait", or exhibiting

different colored lights successively one at a time, the following colors only shall be used and said words and lights shall indicate and apply to pedestrians as follows:

a. Green or "Walk".

Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

b. Red or "Wait".

No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the Green or "Walk" signal shall proceed to a sidewalk or safety island while the Red or "Wait" signal is showing.

**5. Warning lights at mid-block crosswalks.** Every pedestrian crosswalk which is located at a place other than an intersection of two or more streets or highways shall be illuminated at night by a lamp or lamps so mounted above the crosswalk as to provide adequate illumination of pedestrians thereon and of a distinctive amber color to give notice to vehicle drivers to exercise caution when approaching the crosswalk.

**6. Flashing signals.** Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:

a. Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a stop line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

b. Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

**7. 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 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 of the foregoing provisions, 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.

**8. Interference with official traffic control devices or railroad signs or signals.** No person shall without lawful authority attempt to or in fact alter, deface, injure, knockdown, or remove any official traffic control device or any railroad sign or signal or any inscription, shield or insigne thereon, or any other part thereof.

**9. Obstruction of visibility of traffic sign or signal.** No person shall hang, suspend, place or construct any awning, frame, balcony, cornice, or any other projection, so as to obstruct the visibility of any traffic sign or signal placed or erected as authorized or required by law.

**10. Red and green illuminated signs near traffic signals.**

a. No person shall erect or maintain any red or green light or red or green neon sign within 75 feet of any intersection where traffic is controlled by signal lights without first obtaining a written permit from the Traffic Safety Commission certifying that such light or sign at the specified location does not constitute undue distraction to a vehicle driver acting in obedience to the directions of the traffic signal lights.

b. The owner or operator of any existing red or green light or red or green neon sign located within 75 feet of an intersection where traffic is controlled by signal lights shall not renew or replace such light or sign without first obtaining a written permit from the Traffic Safety Commission certifying that such light or sign at the specified location does not constitute undue distraction to a vehicle driver acting in obedience to the directions of the traffic signal lights.

**SECTION VII. SPEED RESTRICTIONS.**

**1. Speed restrictions.**

a. No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled 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.

b. No person shall drive a vehicle on a street or highway at a speed in excess of the following limits:

(1) Twenty-five miles per hour, while traveling on any street or highway within the City and County of Honolulu except on those certain highways or boulevards, or portions thereof, where a higher speed limit is warranted and so designated by proper authority.

(2) Thirty-five miles per hour, while traveling on the following highways or boulevards, or indicated portions thereof:

Aiea-Naval Hospital Road, from Moanalua Road to Aiea Naval Hospital.

Ala Moana, between Ward Avenue and Ala Wai,

Ala Wai Boulevard,

Farrington Highway,

Fort Weaver Road,

Kailua Road,

Kalaheo Avenue,

Kalanianaʻole Highway,

Kamehameha Highway, portions thereof not specified for forty-five miles per hour,

Kapiolani Boulevard, between Ward Avenue and Waialae Avenue,

Kaukonahua Road,

Kunia Road,

Moanalua Road, from Puuloa Road to junction with Kamehameha Highway,

Nuanu Avenue, between Puiwa Street and Old Pali Road,

Puuloa Road,

Waialua Road,

Wilikina Drive.

(3) Forty-five miles per hour, while traveling on the following highways or indicated portions thereof during the hours from one-half hour before sunrise until one-half hour after sunset, and thirty-five miles per hour during the remaining hours of the

day; namely, one-half hour after sunset to one-half hour before sunrise:

- (a) Nimitz Highway between Puuhale Road and Honolulu Airport Road,
- (b) Kamehameha Highway between Puuhale Road and a point 500 feet from the westerly boundary of Kahuku except between the following locations:
  - i. From a point 500 feet on either side of Pearl Harbor-Aiea intersection (Station 163-00 and 173-00, FAP, 9A),
  - ii. Kipapa Gulch between Stations 12-00 and 8-00, FAP, 7C,
  - iii. From a point 500 feet south of Wright Gate (Station 59-00, FAP, 7D) through Wahiawa to a point 1550 feet north of Karsten Thot Bridge (Station 122-00, FAP, 7D),
  - iv. Waiialua-Haleiwa, from a point 200 feet south of Twin Bridges to the easterly boundary of Waiialua Park,
  - v. Waimea Bay between Stations 102 and 155, FAP, 3A.
- c. Where any of the above-mentioned highways or boulevards, or indicated portions thereof, pass through any thickly settled or closely built up district, the maximum speed limit on any such highway or boulevard, or indicated portion thereof, so passing through any such thickly settled or closely built up district, shall be twenty-five miles per hour; but, everything to the contrary notwithstanding, the foregoing proviso shall be ineffective unless officially designated signs are erected and maintained indicating that a special hazard exists on such highway or boulevard, or portion thereof, due to the passing of same through a thickly settled or closely built up district, where the prevalence of pedestrian travel, vehicular traffic, or other conditions require a reduced speed, and that the maximum speed limit for such thickly settled or closely built district is twenty-five miles per hour.

**2. Establishment of speed zones.** Whenever the City Traffic Engineer shall determine upon the basis of an engineering and traffic investigation that any maximum speed limit hereinbefore set forth is greater than is reasonable or safe under the conditions found to exist at any horizontal or vertical curve upon any part of a highway, said Traffic Engineer may post a recommended safe speed thereat which shall serve as a guide to vehicle drivers at all times when they are using the highway and which shall be effectively illuminated or reflectorized for visibility at night.

**3. Minimum speed regulations.**

a. The driver of a slow moving vehicle shall drive the same as close as possible to the right-hand edge of any roadway, laned or unlaned for traffic.

b. The driver, further, shall not 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

c. Whenever any roadway clearly provides for two or more lanes, marked or otherwise, of traffic moving in the same direction, every person driving a motor vehicle in the extreme left lane shall travel at the maximum stated speed, except when so directed by a police officer, or when a reduced speed is necessary for safe operation, or in compliance with the law.

d. Police officers are hereby authorized to enforce the provisions of this paragraph by directions to drivers, and in the event of an apparent willful disobedience to any of the provisions afore-

said and refusal to comply with the directions of an officer, in accordance herewith, the continued disobedience by a driver shall constitute a misdemeanor.

**4. Special speed limits on elevated structures.**

a. No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such bridge or structure is signposted as provided in this Ordinance.

b. The City Traffic Engineer upon request from any local authority shall, or upon his own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if he shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this Ordinance, the Traffic Engineer shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure.

**5. When speed restrictions not applicable.** The speed restrictions set forth in this Ordinance shall not apply to an authorized emergency vehicle when responding to an emergency call, or when used in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, and the driver thereof sounds audible signal by bell, siren or exhaust whistle, and when such emergency vehicle is equipped with at least one lighted lamp exhibiting a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

**6. Regulation of speed by traffic control signals.** The City Traffic Engineer is authorized to regulate the timing of traffic control signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

**7. Charging violations and rule in civil cases.**

a. In every charge of violation of any speed regulation in this Ordinance the complaint, 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.

b. The foregoing provisions declaring speed limitations shall not be construed to relieve the plaintiff in any civil action or case from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

**8. Speed of certain vehicles restricted.**

a. No vehicle equipped wholly or partly with solid rubber tires shall be operated upon any highway at a speed in excess of ten miles per hour.

**SECTION VIII. TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING**

**1. Turning at intersections.**

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.

c. Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

d. Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

e. In all cases where official marks, buttons, signs or directional arrows painted on the pavement are placed within or adjacent to intersections, no driver of a vehicle shall execute a movement at such intersections otherwise than as directed and required by such marks, buttons, signs or arrows.

**2. Procedure at channelized intersections.** Where accelerating or decelerating lanes are provided for right or left turns at unsignalized intersections, vehicles shall proceed as follows:

a. Vehicles intending to turn right into a roadway, entrance to which is gained by means of a right-turn accelerating lane, shall enter such roadway by way of the accelerating lane so provided and shall merge with caution into the right-hand traffic lane without coming to a stop, unless otherwise instructed by official signs and pavement markings.

b. Vehicles intending to turn right from a roadway, exit from which is made by means of a right-turn decelerating lane, shall enter the decelerating lane and merge with caution into the right-hand traffic lane without coming to a stop, unless otherwise instructed by official signs and pavement markings.

c. Vehicles intending to turn left into the far-roadway of a divided highway shall come to a complete stop before crossing the near-roadway of such highway and shall then proceed into the left-turn accelerating lane constructed in the median strip area and shall merge with caution into the left-hand lane of the far-roadway without again coming to a stop, unless otherwise instructed by official signs and pavement markings.

d. Vehicles intending to turn left from a divided highway, exit from which is made by means of a left-turn decelerating lane constructed in the median strip area, shall enter the decelerating lane and shall come to a full stop before proceeding with caution across the intersection and into the intersecting roadway, unless otherwise instructed by official signs and pavement markings.

**3. Obedience to no-turn signs.** Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

**4. Limitations on "U" turns.** The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district, upon any four-laned highway, or at any intersection where traffic is controlled by traffic signal lights.

**5. Turning on curve or crest of grade prohibited.** No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

**6. Starting parked vehicle.** No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

7. **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 electrical device which meets the requirements hereinafter set forth and which has been approved by the Chief of Police; provided however, that whenever a hand and arm signal would not be visible both to the front and rear of such vehicle, then such vehicle must be equipped with, and said visual signal must be given by, such a mechanical or electrical device.

Whenever the signal is given by means of the hand and 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 electrical device approved by the Chief of Police shall be given continually during the last one hundred feet traveled by the vehicle before turning.

#### **SECTION IX DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING.**

1. **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 rules governing such movement;
- b. When the right half of a roadway is closed to traffic while under construction or repair;
- c. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- d. Upon a roadway designated and signposted for one-way traffic.

2. **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.

3. **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 special rules hereinafter stated:

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

b. 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.

**4. When overtaking on the right is permitted.**

a. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn;

(2) Upon a street or highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width, and with lanes marked for two or more lines of moving vehicles in each direction;

(3) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

b. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main traveled portion of the roadway.

**5. Limitations on overtaking on the left.** No vehicle shall be driven 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 of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made completely without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

**6. Further limitations on driving to left of center of roadway.**

a. No vehicle shall at any time be driven to the left of the center line of a roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(2) When approaching within one hundred feet of or traversing any intersection, or railroad grade crossing;

(3) When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct, or tunnel;

(4) On any roadway marked with a double center line.

b. The foregoing limitations shall not apply upon a one-way roadway.

**7. No-passing zones.** The City Traffic Engineer is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and said Engineer may by appropriate signs or markings on the roadway indicate the beginning and end of such zones.

**8. Driving on roadways laned for traffic.** Whenever any road-

way has been divided into two 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 practical 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 lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway 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 signposted to give notice of such allocation.

c. Official signs may be erected and/or the pavement marked directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such sign and/or markings.

#### **9. Following too closely.**

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 vehicle and the traffic upon and the condition of the highway.

b. The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this provision shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

c. Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

**10. Driving on divided highways.** Whenever any highway has been divided into two or more separate roadways by medial strips, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within any such medial strips except through an opening in such strips or at a crossover or intersection; provided, however, that a driver who enters such opening, crossover or intersection shall bring his vehicle to a full stop before emerging upon the adjacent roadway of such divided highway.

**11. Restricted access.** No person shall drive a vehicle onto or from any limited-access roadway except at such entrances and exits as are established by public authority.

### **SECTION X. ONE-WAY STREETS.**

**1. 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.

**AALA LANE.** All vehicular traffic shall move only from makai to mauka between a point 190 feet mauka from its junction with Beretania Street to a point adjacent to the Pine Store.

**AALA STREET.** All vehicular traffic shall move only from makai to mauka.

**AKEPO LANE.** All vehicular traffic shall move only from mauka to makai.

**BUCKLE LANE.** All vehicular traffic shall enter only at the waikiki end of Pahale Lane and exit at its junction with Vineyard Street.

**CIRCLE LANE.** All vehicular traffic shall move only from waikiki to ewa and mauka to makai.

**CHAPLAIN LANE.** All vehicular traffic shall move only from waikiki to ewa.

**CITY HALL DRIVEWAY.** All vehicular traffic shall move only in a general ewa direction.

**CLEMENT LANE.** All vehicular traffic shall enter only from Wilder Avenue and exit only on Metcalf Street.

**COLLEGE WALK.** All vehicular traffic shall move only from mauka to makai between the makai line of Beretania Street and the mauka line of King Street.

**COLLEGE WALK.** All vehicular traffic shall move only from makai to mauka between the mauka line of Queen Street and the makai line of King Street.

**EAST MANOA ROAD.** On the mauka extension of East Manoa Road, all vehicular traffic shall move only from makai to mauka between the entrance of the Manoa Chinese Cemetery to Alani Drive.

**FORT STREET.** All vehicular traffic shall move only from makai to mauka, between the mauka line of Queen Street and the makai line of Kukui Street.

**FROG LANE.** All vehicular traffic shall move only from makai to mauka.

**KAENA DRIVE.** All vehicular traffic shall move only from McKinley Street to Hunnewell Drive.

**KAAHUMANU STREET.** All vehicular traffic shall move only from makai to mauka.

**KAALA WAY.** All vehicular traffic shall move from Kamehameha Avenue to Oahu Avenue.

**KAHEKA LANE.** Between King and Young Streets, all traffic shall move only from mauka to makai.

**KAILUA ROAD.** All vehicular traffic shall move only from mauka to makai from its junction with Kuulei Road to its junction with Oneawa Road.

**KALAKAUA AVENUE.** All vehicular traffic shall move only from north to south on the makai portion of Kalakaua Avenue (old Kalakaua Avenue) from Monsarrat Avenue through Kapiolani Park to its intersection with Poni Moi Road; and all vehicular traffic shall move only from south to north on the new mauka portion of Kalakaua Avenue from its intersection with Poni Moi Road through Kapiolani Park to its intersection with Monsarrat Avenue.

**KAPENA STREET.** All vehicular traffic shall move only from waikiki to ewa.

**KAUILA STREET.** All vehicular traffic shall move only from waikiki to ewa.

**KAULANA LANE.** All vehicular traffic shall move only from waikiki to ewa.

**KAULUWELA LANE.** All vehicular traffic shall move only from makai to mauka.

**KAUMAKAPILI LANE.** All vehicular traffic shall move only from makai to mauka.

**KAWAIAHAO STREET.** All vehicular traffic shall move only from mauka to makai between the makai line of King Street and the mauka line of Mission Lane.

KEKAULIKE STREET. All vehicular traffic shall move only from mauka to makai.

KOLEA LANE. All vehicular traffic shall move only from makai to mauka between the mauka line of Kapena Street and the makai line of Kukui Street.

KUKUI LANE. All vehicular traffic shall move only from Nuuanu Avenue to Kukui Street.

LAUHALA STREET. All vehicular traffic shall move from makai to mauka.

LIKELIKE STREET. All vehicular traffic shall move only from makai to mauka.

THE LOOP, formed by Kahela Lane and Aylett Lane. All vehicular traffic shall move only in a counter-clockwise direction.

MARIN STREET. All vehicular traffic shall move only from ewa to waikiki.

MAUNAKEA STREET. All vehicular traffic shall move only from makai to mauka.

MERCHANT STREET. All vehicular traffic shall move from ewa to waikiki.

MISSION LANE. All vehicular traffic shall move only from mauka to makai.

PALACE SQUARE. All vehicular traffic shall move only from ewa to waikiki between the waikiki line of Richards Street and the extension of the ewa line of Mililani Street.

PUNCHBOWL STREET. All vehicular traffic shall move only from mauka to makai between the makai line of Halekauwila Street and the ewa line of Kakaako Street.

PUUHALE ROAD. All vehicular traffic shall move only from mauka to makai between the makai line of King Street to the mauka line of Dillingham Boulevard.

QUEEN EMMA SQUARE. All vehicular traffic shall enter only at the Makai end, move only in a counter-clockwise direction and exit at the mauka end.

RICHARDS STREET. All vehicular traffic shall move only from mauka to makai between the makai line of Beretania Street and the mauka line of King Street.

RIVER STREET. All vehicular traffic shall move only from makai to mauka between the mauka line of Beretania Street and the makai line of Vineyard Street.

SMITH STREET. All vehicular traffic shall move only from mauka to makai.

STILLMAN LANE. All vehicular traffic shall move only from mauka to makai.

UNION STREET. All vehicular traffic shall move only from mauka to makai.

WAIAWA CUTOFF (also known as Federal Aid Project DC 47-A (2)). All vehicular traffic shall move only from east to west between the easterly junction of said Waiawa Cutoff with Kamehameha Highway and the westerly junction of said Waiawa Cutoff with Kamehameha Highway.

WAIPA LANE. All vehicular traffic shall move only from waikiki (south) toward ewa (north) entering from North Vineyard Street in the near vicinity of the intersection of North Vineyard and Liliha Streets, then moving ewa to its makai-mauka fork and continuing makai into North Vineyard Street.

## SECTION XI. RIGHT-OF-WAY.

### 1. Vehicles approaching or entering intersections.

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 approximately 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 highways and otherwise as hereinafter stated.

**2. 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.

**3. 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 street.

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 XII. SPECIAL STOPS.**

**1. Through streets designated.** 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 and every driver or operator of any moving vehicle shall stop at the stop line; provided, however, that in the event there is no stop line, then said driver or operator shall stop at the nearest line marking the crosswalk at such entrance; and provided further, that in the event there is no such line, then said driver or operator 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 following streets or indicated portions thereof are through streets.

ALA MOANA, from the waikiki line of Fort Street to the Ala Wai;

ALA WAI, 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;

EAST MANOA ROAD, from its junction with Manoa Road to the easterly line of Oahu Avenue;

EMERSON STREET, between Lunalilo and Prospect Streets;

FARRINGTON HIGHWAY, from its terminus with Kamehameha Highway at the Waipahu-Waiialua junction to its terminus with Kaukonahua Road at Thompson corner;

FORT STREET, from the easterly line of Beretania Street to the westerly line of Pauoa Road, except at School Street;

FORT WEAVER ROAD, (Ewa Beach Road), from the southerly line of Farrington Highway to Fort Weaver;

GLEN AVENUE (Wahiawa), from the northerly line of California Avenue to its northerly terminus;

HALEKAUWILA STREET, from the waikiki line of Fort Street to South Street;

HARDING AVENUE, from its northerly terminus at Kapiolani Boulevard to the southerly line of 20th Avenue;

IOLANI STREET, from the easterly line of Alapai Street to the easterly line of Lusitana Street;

KAHALA AVENUE from its westerly terminus with Diamond Head Road to its easterly terminus at the Waiialae Golf Club;

KAILUA ROAD, for its entire length;

KAIMUKI AVENUE, between Kapiolani Boulevard and 12th Avenue, except at Kapaehulu Avenue, 6th Avenue and 12th Avenue;

KALAHEO AVENUE (Kailua), from Oneawa Street to Kailua Road;

KALAKAUA AVENUE, from the northerly line of Poni Moi Road to the westerly line of Beretania Street, except at King Street;

KALANIANAOLE HIGHWAY, from its terminus with Waiialae Avenue to its terminus with Pali Road;

KALIHI STREET, from the easterly line of King Street to its easterly terminus, except at School Street;

KAMEHAMEHA HIGHWAY, from its terminus with Kalanianaole Highway  $\frac{3}{4}$  mile northeast of Nuuanu Pali Half Way House 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 Waiialae Avenue, except at Kalakaua Avenue, King Street and Harding Avenue;

KAUKONAHUA ROAD, from Wilikina Drive to its intersection with Highway 121 at Highway 17;

KEALAOLU AVENUE, from the southerly line of Waiialae Avenue to Kahala Avenue;

KEEAUMOKU STREET, between Wilder Avenue and Beretania Street;

KILANI AVENUE (Wahiawa), from the easterly line of Kamehameha Highway to the westerly line of Hakone Street;

KILAUEA AVENUE, from 6th Avenue to 21st Avenue, except at 12th Avenue and 18th Avenue;

KINAU STREET, from Alapai Street to Keeaumoku Street;

KING STREET, from its junction with Moanalua Road at Fort Shafter to its southerly terminus at Kapiolani Boulevard, except at its junction with North Beretania Street, Mililani Street, South Street and South Beretania Street;

KUULEI ROAD, from Oneawa Road to Kalaheo Avenue;

LILIHA STREET, from the easterly line of King Street to its easterly terminus, except at Wyllie Street;

LUNALILO STREET, from the westerly line of Keeaumoku Street to the easterly line of Alapai Street; provided, however, that traffic on Lunalilo Street proceeding ewa toward Pensacola Street shall come to a complete stop before entering Pensacola Street and that traffic on Pensacola Street proceeding makai toward Lunalilo Street may turn right into Lunalilo Street at any time without stopping.

MANOA ROAD, from its westerly terminus with Punahou Street at the easterly line of Nehoa Street to its junction with Oahu Avenue; 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; MOANALUA ROAD, throughout its length;

MOKAUEA STREET, from the makai side of King street to the makai side of Auiki Street, except at Dillingham Boulevard, the Hart Street railroad crossing and at Nimitz Highway;

MONSARRAT AVENUE, from the westerly line of Paki Avenue to the easterly line of Trousseau Street;

MOOHEAU AVENUE, from the southerly line of Kapahulu Avenue to the southerly line of 6th Avenue;

NIMITZ HIGHWAY, for its entire length;

NUUANU AVENUE, from the easterly line of Beretania Street to its junction with the terminus of Pali Road at Old Pali 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;

ONEAWA STREET, for its entire length;

PALI ROAD, from its terminus with Nuuanu Avenue at Mamalahoa Road to the Pali;

PENSACOLA STREET, from Kapiolani Boulevard to the westerly line of Nehoa Street, except at King Street, Beretania Street and Wilder Avenue;

PROSPECT STREET, from the easterly line of Magazine Street to the westerly line of Alapai Street;

PUNAHOU STREET, from the easterly line of South King Street to its junction with Manoa Road at the easterly line of Nehoa Street, except at Beretania Street;

QUEEN STREET, from the ewa line of Ward Avenue to the wai-kiki line of Iwilei Road;

QUEEN EMMA STREET, from the easterly line of Beretania Street to the easterly line of Iolani Street, extended;

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 Waialae Avenue to its easterly terminus at the westerly line of Maunalani Circle;

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;

UNIVERSITY AVENUE, from the northeasterly line of King Street to Oahu Avenue;

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 Liliha Street, Nuuanu Avenue, Fort Street and Queen Emma Street;

WAIALAE AVENUE, from the northerly line of Kapiolani Boulevard, extended, to its southerly terminus at its junction with Kalaniana'ole Highway at Kealaolu Avenue;

WAIKAMILO STREET, from the makai side of Dillingham

Boulevard to the mauka side of Nimitz Highway, except at Hart Street railroad crossing;

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.

**2. Emerging from alley or private driveway.** The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, driveway or building, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.

**3. Stop when traffic 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.

**4. Obedience to signal indicating approach of railroad train.** Whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop not less than 10 feet from the nearest rail of such railroad and shall not proceed when:

a. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train;

b. A crossing gate is lowered, or when a human flagman gives or continues to give a signal of the approach or passage of a train;

c. A railroad engine approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such engine by reason of its speed or nearness to such crossing is an immediate hazard;

d. An approaching train is plainly visible and is in hazardous proximity to such crossing.

**5. All vehicles must stop at certain railroad grade crossings.** When stop signs, officially designated, are erected at highway grade crossings of railroads, every driver of a vehicle shall stop at a distance of not less than 10 feet from the nearest rail of such grade crossings and proceed only upon exercising due care.

**6. Certain vehicles must stop at all railroad grade crossings.**  
a. The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing any track or tracks of a railroad, shall stop such vehicle not less than 10 feet from the nearest rail of such railroad and, while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train.

b. No stop need be made at any such crossing where a railway flagman, police officer or a traffic control signal directs traffic to proceed.

c. The foregoing provisions shall not apply to those grade crossings where the tracks are for the use of agricultural or industrial organizations and over which locomotives, cane cars and other vehicles are moved and operated in agricultural and industrial work.

**7. Duties of operators of locomotives, cane cars or other vehicles used in agricultural or industrial work.** The driver, engineer or person in charge of any locomotive, cane car or other vehicle, whether operated on stationary rails or roadways, used in agricultural or industrial work, shall not cause or permit such locomotive, cane car or other vehicle to enter upon or cross any highway without first stopping and yielding the right-of-way to any vehicle crossing or

about to cross the grade crossing or road intersection, or which is approaching so closely on said highway as to constitute an immediate hazard, but having so yielded may proceed; provided, however, that a flagman shall have first stationed himself in a conspicuous spot, approximately in the center of the highway in close proximity to the tracks, road intersection or crossing, displaying a red flag not less than 16 inches square, except that from a half hour after sunset to a half hour before sunrise, in lieu of the said flag, a red light or lantern shall be so displayed plainly visible for a distance of 500 feet from both sides of the tracks, crossing or road intersection.

### SECTION XIII. STOPPING, STANDING AND PARKING.

#### 1. Stopping, standing or parking outside of business or residence district.

a. Upon any highway 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 main traveled part of the highway when it is practical to stop, park or to leave such vehicle off such part of said highway, but in every event an unobstructed width of highway opposite a standing vehicle shall be left for free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

b. The foregoing provisions shall not apply to the driver of a vehicle which is disabled while on the paved 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.

#### 2. Officers authorized to remove illegally stopped vehicles.

a. Whenever any police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such highway.

b. Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

#### 3. Stopping, standing, or parking prohibited in specified places.

a. No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device in any of the following places:

- (1) On a sidewalk;
- (2) Within four feet of either side of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a 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;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet upon the approach to any flashing beacon or stop sign, located at the side of a roadway;
- (8) Within seventy-five feet upon the approach to any traffic control signal;
- (9) On the far side of the street at any signalized intersection within thirty feet of the curb line of the intersecting street. As used herein, the term "signalized intersection" means an intersection whereat traffic is controlled by official traffic control signals;

(10) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless there be a different length indicated by signs or markings;

(11) Within fifty feet of the nearest rail of a railroad crossing;

(12) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when proper signs give notice of such restriction and/or the curb is painted red;

(13) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(14) On the roadway side of any vehicle stopped or parked at the edge of curb of a roadway;

(15) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(16) Any place where official signs prohibit stopping;

(17) In front of the entrance of any theater during the hours moving pictures or legitimate play productions are being exhibited therein; provided, however, that this provision shall not apply when the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers;

(18) In front of any hotel entrance; provided, however, that this provision shall not apply when the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers.

(19) On either side of any street with a traffic way of eighteen feet or less when official signs are erected, giving notice thereof.

b. No person shall move a vehicle not lawfully under his control unto any such prohibited area or away from a curb to such a distance as is unlawful.

**4. Parking not to obstruct traffic.** No person shall park any vehicle upon a street or alley in such manner or under such conditions as to leave available less than ten feet of the width of the street or alley for the free movement of vehicular traffic.

**5. Prohibited parking within the City and County of Honolulu.**

a. When official "No Parking" 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 City and County of Honolulu.

b. Where official signs are erected prohibiting loading or unloading at specified locations during certain hours of the day, no vehicle shall stop, stand or park at those places for any reason during the hours of prohibited loading and unloading.

**6. Time limit parking within the City and County of Honolulu.** When official signs are erected giving notice thereof, no person shall stop, stand or park a vehicle for a period of time longer than the period of time indicated on such signs between the hours indicated on such signs of any day except Sundays and public holidays upon any of the streets or portions thereof within the City and County of Honolulu.

**7. Parking prohibited during certain hours within the City and County of Honolulu.** 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 City and County of Honolulu, between the hours indicated on such signs of any day except Sunday and public holidays.

8. **All night parking prohibited.** No person shall park a vehicle on any roadway for a period of time longer than sixty minutes between the hours of 2:00 a.m. and 6:00 a.m. of any day; subject, however, to the exemptions granted authorized emergency vehicles, pursuant to paragraph 5, Section IV of this Ordinance.

9. **Parking Stalls; required parking therein.**

a. The City Traffic Engineer is hereby authorized and directed to establish, mark and designate, where there is an apparent need therefor, a consecutive series of parking stalls for the parallel or angle parking of motor vehicles upon any street. Each such parking stall shall extend in width eight feet and shall extend in length approximately twenty-two feet.

b. Wherever parking stalls are so established, marked off and designated, the driver of any vehicle, excepting only single vehicles of a greater length or width, shall park such vehicle completely within a designated stall.

10. **Parking for certain purposes prohibited.** No person shall park a vehicle upon any roadway for the principal purpose of:

a. Displaying such vehicle for sale;

b. Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

11. **Standing in loading zones 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 curb loading zone during hours when the regulations applicable to such passenger zone are effective, and then only for a period not to exceed three minutes.

b. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of freight in any place marked as a freight curb loading zone, during the hours when the provisions applicable to such freight loading zone are in effect. In no case shall the stop for loading and unloading of freight exceed thirty minutes.

12. **Buses not permitted to stand or park except in officially designated bus stops.** The driver of a bus shall not stand or park such bus upon any street for the purpose of loading or unloading passengers at any place within any business district other than at an officially designated bus stop, except that the Chief of Police may permit and direct the parking of buses at places other than official bus stops at times when large assemblages of people create an unusually heavy demand for mass transportation facilities, but such parking may take place only during the time of unusually heavy demand.

13. **Other vehicles not to be parked, stopped, or permitted to stand in bus stops.** No person shall stop, stand, or park a vehicle, other than a bus in a bus stop when such stop has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus which has entered or is waiting to enter or about to enter such bus stop.

14. **Standing or parking close to curb.** Upon any roadway within a business or residence district, no person shall stand or park a vehicle 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 inches of the edge of the roadway, except that:

a. Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.

b. In places where and at hours when stopping for the loading or unloading of freight is permitted, vehicles used for the transportation of freight 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 to take on or discharge a load, and it shall be unlawful for any owner or driver to violate any of the specific terms or conditions of any such special permit.

c. While parked wholly within stalls marked or designated pursuant to paragraph 9, Section XIII of this Ordinance.

**15. 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 minutes, or on any such highway within the space of one block for a period of more than thirty 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 feet of such location or of any location previously vacated by him within three hours.

**16. Registered owner's responsibility; registration plates as prima facie evidence as to parking.** In any proceeding for violation of the parking provisions of this Ordinance the serial number displayed on the registration plate attached to the vehicle involved in such violation shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the point where, and during the time when, such violation occurred.

**17. Unattended motor vehicle.** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the ignition key from the vehicle, and effectively setting the brakes thereon, and when standing upon any grade, turning the front wheels to the curb or side of the highway.

**18. Abandoned vehicles on highway.** No person shall abandon any vehicle on the public highway. The Chief of Police is hereby authorized to remove or cause to be removed any such abandoned vehicle from the highway, and the registered owner of such vehicle shall be liable for all reasonable expenses incurred by such removal. Leaving vehicles unattended for more than 24 hours shall constitute abandonment within the meaning of this section.

**19. Authority to store vehicles.**

a. Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety under the circumstances hereinafter enumerated.

(1) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

b. Whenever an officer removes a vehicle from a street as authorized herein and the officer knows or is able to ascertain from the registration records in the vehicle the name and address

of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor, and of the place to which such vehicle has been removed.

c. Whenever an officer removes a vehicle from a street and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event, the officer shall immediately send or cause to be sent a written report of such removal by mail to the City and County Treasurer whose duty it is to register motor vehicles. Such report shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

d. The registered owner of the vehicle shall be liable for all reasonable expenses incurred by such removal and storage.

#### SECTION XIV. MISCELLANEOUS PROVISIONS.

##### 1. 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 shall ride in such a position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

##### 2. 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.

##### 3. Coasting prohibited.

a. The driver of a motor vehicle when traveling upon a down-grade shall not coast with the gears of such vehicle in neutral.

b. The driver of a commercial motor vehicle when traveling upon a down-grade shall not coast with the clutch disengaged.

4. **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 feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

5. **Driving over fire hose prohibited.** No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street or private driveway without the consent of the fire department official in command.

##### 6. 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.

**7. Tracking mud onto the highway.** No vehicle using the public highway shall track mud or dirt onto the traveled portion of such highway in such quantities as will constitute a hazard when the roadway is wet, or obscure the painted pavement markings thereon. In the event that mud or dirt is unavoidably tracked onto the highway, it shall be the duty of the operator of the offending vehicle to have said mud or dirt removed as quickly as possible.

**8. Driving through funeral or other processions.**

a. No person shall drive a vehicle between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as by law required. This provision shall not apply at intersections where traffic is controlled by traffic control signals or by police officers.

b. No funeral, procession, or parade containing 200 or more persons or 50 or more vehicles, excepting the forces of the United States Army or Navy, the military forces of the Territory of Hawaii, and the forces of the police and fire departments, shall occupy, march, or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

c. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a placard of a type designated by the Chief of Police. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and follow the vehicle ahead as closely as is practicable and safe.

**9. Vehicles shall not be driven on a sidewalk.** No person shall drive a vehicle within any sidewalk area except at a permanent or temporary driveway.

**10. 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 paragraph 14, Section XIII of this Ordinance.

**11. Railroad trains not to block street.** It shall be unlawful for the directing officer or the operator of any railroad train 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 minutes, except that this provision shall not apply to trains in motion other than those engaged in switching. It shall be unlawful to stop any railroad train within an intersection for the purpose of receiving or discharging passengers or freight.

**12. Boarding or alighting from any vehicle.** No person shall board or alight from any vehicle while such vehicle is in motion.

**13. Limitations on backing.** The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with the flow of other traffic.

**14. Riding on motorcycles.** A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator, said seat to be equipped with adequate foot rests. Nor shall any other person ride upon such motorcycle not equipped as hereinabove set forth.

15. **Unlawful riding.** No person shall ride on any or any portion of a vehicle 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 a space intended for merchandise.

16. **Obstruction of intersection.**

a. No hedge, shrubbery, fence or other similar obstruction shall be maintained or permitted within a radius of thirty feet from the intersection of property lines at the corners of any street or highway intersection when any point on such obstruction within the said radius extends to a greater height than three 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 a violation of the above provision exists, requesting the removal of the obstruction therefrom within one week from the service of such notice.

17. **Warning signs required for the protection of working-men on the highways.** It shall be unlawful for any person or persons to work upon that portion of any highway devoted to vehicular traffic, or for any governmental department, corporation, firm, association, estate, or individual to permit any person or persons to so work, unless there shall be placed in the center of the highway suitable signs with black letters not less than four inches in height on a yellow field carrying the warning, "men at work", and having attached thereto one or more red flags ten inches wide by twelve inches long, such signs to be placed not less than two hundred feet nor more than six hundred feet from the place where any such person or persons is so working; provided, however, that between one-half hour after sunset and one-half hour before sunrise, there shall be required on any such sign a red lantern or lanterns, properly lighted, in lieu of a red flag or flags.

18. **Overtaking and passing school bus.**

a. The driver of a vehicle upon a highway outside of a business or residence district upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle immediately before passing the school bus, but may then proceed past such school bus at a speed which is reasonable and prudent, not exceeding ten miles per hour, and with due caution for the safety of such children.

b. The above provision shall be applicable only in the event the school bus shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than 8 inches in height which can be removed or covered when the vehicle is not in use as a school bus.

19. **Carrying passengers on trucks.** It shall be unlawful for an owner or 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 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 passengers are carried for hire, or if school children are carried either with or without remuneration, 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 or where such vehicle is used in transporting school children to and from school without remuneration, such permit may be issued for yearly periods.

**20. Vehicles equipped with two-way radio or telephone.**

a. The driver of any motor vehicle which is equipped with a two-way radio or telephone, of such design that continuous or intermittent manipulation of earphone and/or mouthpiece is necessary for the carrying on of conversation, shall not make or receive calls while his vehicles is in motion upon the highway, but may make and/or receive calls from a parked position only, and he shall not move from such parked position so long as he maintains conversation by means of such two-way radio or telephone.

b. The above provision shall not apply to the driver of an authorized emergency vehicle operating during an emergency, or to a police officer in the performance of his duty, or to any passenger of a vehicle other than the driver thereof.

**21. 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, swine, 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 or lead 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.

**22. 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 or attempt to operate any vehicle on any street or highway or on any way or place whatsoever within the City and County of Honolulu.

**SECTION XV. PEDESTRIANS' RIGHTS AND DUTIES.**

**1. Pedestrians subject to traffic control signals.** Pedestrians shall be subject to traffic control signals at intersections and other signalized crossings, as heretofore stated; but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as hereinafter stated.

**2. Pedestrians' right-of-way in crosswalk.**

a. When traffic control signals are not in place or not in operation and traffic is not being directed by a police officer, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall enter any crosswalk or part of a crosswalk when vehicular traffic is so close thereto as to constitute an immediate hazard.

b. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

**3. Crossing at other than crosswalks; "jaywalking".**

a. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

b. Any pedestrian crossing a roadway at a point where a

pedestrian tunnel or overhead crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

c. Pedestrians shall not cross any roadway within any business district except within a marked or unmarked crosswalk, and shall not cross any roadway within any residence district within 200 feet of any intersection except within a marked or unmarked crosswalk.

**4. Pedestrians to use right half of crosswalk.** Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

**5. Blind and crippled pedestrians' right-of-way.** Except at intersections where the movement of traffic is being regulated by police officers, 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.

**6. Pedestrians walking along roadways.**

a. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

b. Where sidewalks are not provided, any pedestrian walking along and upon a roadway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

c. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

**7. Drivers to exercise due care.** Notwithstanding the foregoing provisions, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

## **SECTION XVI. OPERATION OF BICYCLES AND PLAY VEHICLES.**

**1. Effect of regulations.**

a. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this Section.

b. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Section.

c. The regulations applicable to bicycles shall apply whenever a bicycle is operated upon any roadway or upon any path set aside for the exclusive use of bicycles.

**2. Traffic laws applicable to persons riding bicycles.** The provisions of this Ordinance granting rights to and imposing duties upon a driver of a vehicle shall apply to every person riding a bicycle upon a roadway, save those provisions which by their very nature can have no application.

**3. Obedience to traffic control devices.**

a. Every person operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

b. Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

#### **4. Riding on bicycles.**

a. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

b. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

5. **Clinging to moving vehicles.** No person riding upon any bicycle, motorcycle, motorscooter, coaster, roller skates, or any toy vehicle shall attach the same or himself to any moving vehicle upon any roadway.

#### **6. Riding on roadways and bicycle paths.**

a. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

b. Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

c. Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

7. **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

8. **Emerging from alley or driveway.** The operator of a bicycle emerging from an alley, driveway or building, shall upon approaching a sidewalk or the sidewalk area extending across said alley, driveway or building, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

9. **Carrying articles.** No person operating a bicycle shall carry any package, bundle, or article which prevents him from keeping at least one hand upon the handle bars.

10. **Parking.** No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building.

#### **11. Riding on sidewalks.**

a. No person shall ride a bicycle upon a sidewalk within a business district.

b. The City Traffic Engineer is hereby authorized to erect official signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

12. **Warning devices.** No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

13. **Brakes on bicycles.** Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

### **SECTION XVII. EQUIPMENT.**

#### **1. Scope and effect of regulations.**

a. It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as re-

quired in this Section, or for any person to do any act forbidden or fail to perform any act required under this Section.

b. Nothing contained in this Section shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this Section.

c. The provisions of this Section with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as herein made applicable.

**2. New motor vehicles to be equipped with reflectors.**

a. Every new motor vehicle hereafter sold and operated upon a highway other than a truck tractor shall carry on the rear, either as a part of the tail lamps or separately, two red reflectors meeting the requirements hereinafter set forth, except that vehicles of the type mentioned in paragraph 4 of this Section shall be equipped with reflectors as required therein.

b. Every such reflector shall be mounted on the motor vehicle at a height not less than 24 inches nor more than 60 inches above the ground on which the vehicle stands and shall be of such size and characteristics and so maintained as to be visible at night from all distances within 300 feet to 50 feet from such vehicle, except that visibility from a greater distance is hereinafter required of reflectors on certain types of vehicles.

**3. Application of succeeding paragraphs.** The paragraphs immediately following relating to clearance and marker lamps, reflectors, and stop lights shall apply only as stated in said paragraphs to vehicles of the type therein enumerated, and said vehicles, when operated upon any highway, shall be equipped as required and all lamp equipment required shall be lighted from thirty minutes after sunset until thirty minutes before sunrise, except that clearance and side marker lamps need not be lighted on any such vehicles when operated in the City and County of Honolulu where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.

**4. Additional equipment required on certain vehicles.** In addition to other equipment required in this Section, the following vehicles shall be equipped as herein stated under the conditions stated in the preceding paragraph.

a. On every bus or truck, whatever its size, there shall be the following: On the rear, two reflectors, one at each side, and one stop light.

b. On every bus or truck 80 inches or more in over-all width, in addition to the requirements in subparagraph a:

On the front, two clearance lamps, one at each side.

On the rear, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

c. On every truck tractor:

On the front, two clearance lamps, one at each side.

On the rear, one stop light.

d. On every trailer or semi-trailer having a gross weight in excess of 3,000 pounds:

On the front, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

On the rear, two clearance lamps, one at each side, also

two reflectors, one at each side, and one stop light.

e. On every pole trailer in excess of 3,000 pounds gross weight:

On each side, one side marker lamp and one clearance lamp which may be in combination, to show to the front, side and rear

On the rear of the pole trailer or load, two reflectors, one at each side.

f. On every trailer, semi-trailer, or pole trailer weighing 3,000 pounds gross or less:

On the rear, two reflectors, one on each side. If any trailer or semi-trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one stop light.

**5. Color of clearance lamps, side marker lamps, and reflectors.**

a. Front clearance lamps and those marker lamps and reflectors mounted on the front or on the sides near the front of a vehicle shall display or reflect an amber color.

b. Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

c. All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except the light illuminating the license plate or the light emitted by a back-up lamp, which shall be white.

**6. Mounting of reflectors, clearance lamps, and side marker lamps.**

a. Reflectors shall be mounted at a height not less than 24 inches and not higher than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 24 inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.

Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this Section.

b. Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required with reference to both.

**7. Visibility of reflectors, clearance lamps, and marker lamps.**

a. Every reflector upon any vehicle referred to in paragraph 4 of this Section shall be of such size and characteristics and so maintained as to be readily visible at night time from all distances within 300 feet to 50 feet from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

b. Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of 200 feet from the front and rear, respectively, of the vehicle.

c. Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights

are required at a distance of 200 feet from the side of the vehicle on which mounted.

**8. Stop lamps required on new motor vehicles.** From and after December 31, 1948, it shall be unlawful for any person to sell any new motor vehicle in the City and County of Honolulu or for any person to drive any such new motor vehicle on the highways unless it is equipped with a stop lamp meeting the requirements of paragraph 12 of this Section.

**9. Lamps on parked vehicles.** 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 thereof a red light visible not less than 200 feet from the rear thereof; provided, however, that no lights need be displayed upon any such vehicle when there shall be attached upon the rear of such vehicle a red reflector so maintained as to be visible from all distances within 300 feet to 50 feet from such vehicle.

**10. Spot lamps.** No vehicle, other than authorized emergency vehicles as hereinbefore described, shall use any spot light, while in motion upon any street or highway within the City and County of Honolulu.

**11. Auxiliary driving lamps.** A motor vehicle may be equipped with not more than three auxiliary driving lamps mounted on the front at a height not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this Section.

**12. Signal lamps and signal devices.**

a. Any motor vehicle may be equipped and when required under this Section shall be equipped with the following signal lamps or devices:

(1) A stop lamp on the rear which shall emit a red or yellow light and which shall be actuated upon application of the service (foot) brake and which may but need not be incorporated with a tail lamp.

(2) A lamp or lamps or mechanical signal device capable of clearly indicating any intention to turn either to the right or to the left and which shall be visible both from the front and rear.

b. A stop lamp shall be plainly visible and understandable from a distance of 100 feet to the rear both during normal sunlight and at night time, and a signal lamp or lamps indicating an intention to turn shall be visible and understandable during daytime and night time from a distance of 100 feet both to the front and rear. When a vehicle is equipped with a stop lamp or other signal lamps, such lamp or lamps shall at all times be maintained in good working condition. No stop lamp or signal lamp shall project a glaring or dazzling light.

c. All mechanical signal devices shall be self-illuminated when in use during the time between one-half hour after sunset and one-half hour before sunrise.

**13. Additional lighting equipment.**

a. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

b. Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

c. Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp; but such

back-up lamp shall not be lighted when the motor vehicle is in forward motion.

**14. Multiple-beam road-lighting equipment.** Except as herein-after provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations, subject to the following requirements and limitations:

a. There shall be an uppermost distribution of lights or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 200 feet ahead for all conditions of loading.

b. There shall be a lowermost distribution of light, or composite beam, so aimed that:

(1) When the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of eight inches below the level of the center of the lamp from which it comes.

(2) When the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of three inches below the level of the center of the lamp from which it comes.

(3) In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

c. Where one intermediate beam is provided, the beam on the left side of the road shall be in conformity with b (1) of this paragraph, except when arranged in accordance with the practice specified in e.

d. All road-lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least 100 feet ahead.

e. Every new motor vehicle registered in the City and County of Honolulu after December 31, 1948, which has a multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

**15. Use of multiple-beam road-lighting equipment.**

a. Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the time between one-half hour after sunset and one-half hour before sunrise, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

b. Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead. The lowermost distribution of light specified in paragraph

14 b(1) of this Section shall be deemed to avoid glare at all times, regardless of road contour and loading.

**16. Single-beam road-lighting equipment.** Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to one year after December 31, 1948, in lieu of multiple-beam road-lighting equipment hereinabove specified if the single distribution of light complies with the following requirements and limitations:

a. The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

b. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

**17. Number of driving lamps permitted.** Whenever a motor vehicle equipped with head lamps as required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

**18. Special restrictions on lamps.**

a. Any lighted lamp or illuminating device upon a motor vehicle which projects a beam of light of an intensity greater than 300 candlepower, other than head lamps, spot lamps, auxiliary lamps, or flashing front direction signals, shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

b. No person shall drive or move any vehicle or equipment upon any highway with any lamp, reflector, or other device thereon displaying a red or green light visible to any driver or pedestrian upon the highway ahead of said vehicle or equipment. The foregoing provisions shall not apply to authorized emergency vehicles.

c. Flashing lights are prohibited on any motor vehicle, except on an authorized emergency vehicle or on a vehicle using such lights as a means for indicating a right or left turn.

**19. Selling or using lamps or devices.**

a. No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semi-trailer or use upon any such vehicle any head lamp, auxiliary driving lamp, rear lamp, signal lamp, or reflector which is required, or parts of any of the foregoing which tend to change the original design or performance, unless such lamp or reflector is of the type which has been submitted to the Chief of Police and approved by him.

b. No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semi-trailer, any lamp or device mentioned in this Section which has been approved by the Chief of Police unless such lamp or device bears thereon the trade-mark or name under which it is approved, legible when installed.

c. No person shall use upon any motor vehicle, trailer, or semi-trailer, any lamps mentioned in this Section unless said lamps are equipped with bulbs of a rated candlepower and are so mounted and adjusted as to focus and aim in accordance with the instructions of the Chief of Police.

**20. 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 semi-trailer 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 towing 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 semi-trailer hereafter sold in the City and County of Honolulu and operated upon the highways thereof shall be equipped with service brakes upon all wheels of every such vehicle, except a motorcycle, and except that a semi-trailer of less than 1,500 pounds gross weight need not be equipped with brakes.

(5) In any combination of motor-drawn vehicles, means shall be provided for applying the rearmost trailer brakes, of any trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost trailer wheels equipped with brakes; or both of the above means capable of being used alternatively may be employed.

(6) One of the means of brake operation shall consist of a mechanical connection from the operating lever to the brake shoes or bands and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any upgrade or downgrade upon which it is operated.

(7) The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

b. Performance ability of brakes. Every motor vehicle or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading, of being stopped on a dry, smooth, approximately level road free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be capable of being decelerated at a sustained rate corresponding to the distances specified below:

	Feet to stop from 20 miles per hour.	Deceleration in feet per second per second.
Vehicles or combinations of vehicles having brakes on all wheels	30	14
Vehicles or combinations of vehicles not having brakes on all wheels	40	10.7

c. **Maintenance of brakes.** 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 vehicle.

## 21. 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 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. No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this paragraph.

c. Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the Chief of Police, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.\*

**22. Mufflers; prevention of noise.**

a. 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 cut-out, bypass, or similar device upon a motor vehicle on a highway.

b. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

**23. 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 200 feet to the rear of such vehicle.

**24. Windshields to be unobstructed and equipped with wipers.**

a. No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield, sidewings, or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

b. No person shall drive any motor vehicle with any non-transparent material or object suspended within the windshield area as viewed from the driver's seat, nor shall any person drive any motor vehicle upon the hood or radiator of which is attached any fixture or ornament of any material which vibrates, swings, or flutters within view of the driver of said vehicle.

c. The windshield on every motor vehicle shall be equipped with a device for cleaning rain or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

d. Every windshield wiper upon a motor vehicle shall be maintained in good working order.

**25. Windshields, fenders, and bumpers required on all motor vehicles.** Every motor vehicle in motion upon a highway, excepting a motorcycle and motorscooter, shall be equipped with a windshield, fenders for all wheels, and front and rear bumpers. Such equipment shall be maintained in a safe and workable condition.

**26. Safety glass in motor vehicles.**

a. On and after December 31, 1948, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter which is designed or to be used for the purpose of transporting passengers for compensation or as a school bus unless such new vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields.

b. On and after December 31, 1948, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter unless such new vehicle is equipped with safety glass wherever glass is used in the windshield.

c. The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken, or such other or similar product as may be approved by the Chief of Police.

**27. Certain vehicles to carry flares or other warning devices.**

a. No person shall operate any motor truck or truck tractor upon any unlighted highway at any time from a half hour after sunset to a half hour before sunrise unless there shall be carried in such vehicle the following equipment, except as provided in subparagraph b:

(1) At least three flares or three red electric lanterns each of which shall be capable of being seen and distinguished at a distance of 500 feet under normal atmospheric conditions at night time.

Each flare (liquid-burning pot torch) shall be capable of burning for not less than 12 hours in 5 miles per hour wind velocity and capable of burning in any air velocity from zero to 40 miles per hour. It shall be substantially constructed so as to withstand reasonable shocks without leaking and it shall be carried in the vehicle in a metal rack or box.

Each red electric lantern shall be capable of operating continuously for not less than 12 hours and shall be substantially constructed so as to withstand reasonable shocks without breaking.

(2) At least three red burning fusees unless red electric lanterns are carried. Each fusee shall be capable of burning at least 15 minutes.

(3) At least two red cloth flags, not less than 12 inches square, with standards to support same.

b. No person shall operate at the time and under the conditions stated in subparagraph a any motor vehicle used in the transportation of inflammable liquids in bulk or in the transportation of compressed inflammable gases unless there shall be carried in such vehicle three red electric lanterns meeting the requirements above stated, and there shall not be carried in such vehicle any flares, fusees, or signal produced by a flame.

c. In the alternative, it shall be deemed a compliance with this paragraph in the event the person operating any motor vehicle described in this Section shall carry in such vehicle three portable reflector units on standards of a type approved by the Chief of Police. No portable reflector unit shall be approved unless it is so designed and constructed that it will reflect red light clearly visible for a distance of at least 300 feet under normal atmospheric conditions at night time when directly in front of the lawful upper beams of head lamps.

**28. Display of warning devices when vehicle is disabled.**

a. Whenever any motor truck, truck tractor, trailer, semi-trailer, or pole trailer is disabled upon the traveled portion of any unlighted highway or the shoulder thereof at any time when lighted lamps are required on vehicles, the driver of such vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway, except as provided otherwise in subparagraph b:

(1) A lighted fusee shall be immediately placed on the roadway at the traffic side of the motor vehicle unless electric lanterns are displayed.

(2) Within the burning period of the fusee and as promptly as possible three lighted flares (pot torches) or three electric lanterns shall be placed on the roadway as follows:

One at a distance of approximately 100 feet in advance of the vehicle; one at a distance of approximately 100 feet to the rear of the vehicle; each in the center of the lane of traffic occupied

by the disabled vehicle; and one at the traffic side of the vehicle approximately 10 feet rearward or forward thereof.

b. Whenever any vehicle used in the transportation of inflammable liquids in bulk or in the transportation of compressed inflammable gases is disabled upon a highway at any time or place mentioned in subparagraph a of this paragraph, the driver of such vehicle shall display upon the roadway the following lighted warning devices:

(1) One red electric lantern shall be immediately placed on the roadway at the traffic side of the vehicle and two other red electric lanterns shall be placed to the front and rear, respectively, of the vehicle in the manner prescribed in subparagraph a (2).

When a vehicle of the type specified in this subparagraph is disabled, the use of flares, fuseses, or any signal produced by flame as warning devices is prohibited.

c. Whenever any vehicle of a type referred to in this paragraph is disabled upon the traveled portion of a highway or the shoulder thereof, at any time when the display of fuseses, flares, or electric lanterns is not required, the driver of such vehicle shall display two red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one at a distance of approximately 100 feet in advance of the vehicle, and one at a distance of approximately 100 feet to the rear of the vehicle.

d. In the alternative, it shall be deemed a compliance with his paragraph in the event three portable reflector units on standards of a type approved by the Chief of Police are displayed at the times and under the conditions specified in this paragraph either during the daytime or at night time and such portable reflector units shall be placed on the roadway in the locations as described with reference to the placing of electric lanterns and lighted flares.

e. The flares, fuseses, lanterns, and flags to be displayed as required in this paragraph shall conform with the requirements as hereinabove set forth.

**29. Display of warning devices by passenger buses when disabled.** Whenever any passenger bus is disabled upon the traveled portion of any unlighted highway or the shoulder thereof at any time when lighted lamps are required on vehicles, the driver of such vehicle shall display the same warning devices upon the highway during the time the vehicle is so disabled on the highway as are required to be displayed by drivers of motor trucks and truck tractors in paragraph 28 of this Section, except that in lieu of such warning devices the driver of a passenger bus may display the interior lights of said bus for as long a time as warning devices must be displayed.

**30. Vehicles transporting explosives and flammable liquids.** Any person operating any vehicle transporting any explosive or flammable liquids as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this paragraph.

a. Said vehicle shall be marked or placarded on each side and the rear with the word "Explosives" or "Flammable Liquids", whichever applies, in letters not less than 8 inches high, or there shall be displayed on the rear of such vehicle a red flag not less than 24 inches square marked with the word "Danger" in white letters 6 inches high.

b. Every said vehicle shall be equipped with not less than two fire extinguishers of a type approved by the Fire Marshal of the City and County of Honolulu, filled and ready for immediate use, and placed at a convenient point on the vehicle.

**31. 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 XVIII. INSPECTION OF VEHICLES.**

### **1. Vehicles without required equipment or in unsafe condition.**

No person shall drive or move on any highway any motor vehicle, trailer, semi-trailer, or pole trailer, or any combination thereof, unless the equipment upon any and every said vehicle is in good working order and adjustment as required by law and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

### **2. Inspections by officers of the police department.**

a. The Chief of Police or authorized officers of the police department may at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and such test with reference thereto as may be appropriate.

b. In the event such vehicle and its equipment are found to be in safe condition and in full compliance with the law, the officer making such inspection shall issue to the driver an official certificate of inspection and approval of such vehicle specifying those parts or equipment so inspected and approved.

c. In the event such vehicle is found to be in unsafe condition or any required part or equipment is not present or is not in proper repair and adjustment, the officer shall give a written notice to the driver and shall send a copy to the police department. Said notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment specifying the particulars with reference thereto and that a certificate of inspection and approval be obtained within 5 days.

### **3. Owners and drivers to comply with inspection requirements.**

a. No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the Chief of Police or an authorized officer of the police department.

b. Every owner or driver, upon receiving a notice as provided in paragraph 2 of this Section, shall comply therewith and shall within 5 days secure an official certificate of inspection and approval which shall be issued in duplicate, one copy to be retained by the owner or driver and the other copy to be forwarded to the police department.

c. No person shall operate any vehicle after receiving a notice with reference thereto as above provided, except as may be necessary to return such vehicle to the residence or place of business of the owner or driver, if within a distance of 20 miles, or to a garage, until said vehicle and its equipment have been placed in proper repair and adjustment and a certificate of inspection and approval has been obtained.

d. In the event repair or adjustment of any vehicle or its equipment is found necessary upon inspection, the owner or driver of said vehicle may obtain such repair or adjustment at any place he may choose, but in every event an official certificate of inspection and approval must be obtained, otherwise such vehicle shall not be operated upon the highways of the City and County of Honolulu.

e. Upon certification of the Chief of Police that any 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.

f. Whenever the City and County Treasurer has suspended the registration of any 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.

**4. Chief of Police to require periodical inspections.**

a. The Chief of Police shall at least once each year, but not more frequently than twice each year, require that every motor vehicle, trailer, semi-trailer, and pole trailer registered in the City and County of Honolulu be inspected and that an official certificate of inspection and approval be obtained for each such vehicle.

Such inspections shall be made and such certificates obtained with respect to the mechanism, brakes, and equipment of every such vehicle as shall be designated by the Chief of Police.

The Chief of Police is hereby authorized to make necessary rules and regulations for the administration and enforcement of this paragraph and to designate any period or periods of time during which owners of any vehicles, subject to this paragraph, shall display upon such vehicles certificates of inspection and approval or shall produce the same upon demand of any officer of the police department.

b. The Chief of Police may authorize the acceptance in the City and County of Honolulu of a certificate of inspection and approval issued in another jurisdiction having an inspection law similar to this Section and may extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was not in the City and County of Honolulu during the time an inspection was required.

**5. 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 semi-trailers.

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.

**6. Operation of official inspection stations.**

a. No permit for an official station shall be assigned or transferred or used at any location other than therein designated and every said permit shall be posted in a conspicuous place at the location designated.

b. The person operating an official inspection station shall issue a certificate of inspection and approval upon an official form to the owner of a vehicle upon inspecting such vehicle and determining that its equipment is in good working condition and proper adjustment, otherwise no certificate shall be issued. When required by the Chief of Police, record and report shall be made of every inspection and every certificate issued therefor.

c. A certificate of inspection and approval may be issued free of charge or a fee of not more than \$1.00 may be charged for an inspection and issuance of a certificate therefor.

**7. Improper representation as official inspection station.**

a. No person shall in any manner represent any place as an official inspection station unless such place is operated by the police department or is operating under a valid permit issued by the Chief of Police.

b. No person other than a duly authorized officer of the police department or a person operating an inspection station under a valid permit shall issue a certificate of inspection and approval.

**8. False certificates.**

a. No person shall make, issue, or knowingly use any imitation or counterfeit of an official certificate of inspection and approval.

b. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

**SECTION XIX. WEIGHT, SIZE, AND LOAD.**

1. **Gross weight, axle and wheel loads.** No motor vehicle or other power vehicle or combination of such vehicles equipped wholly with pneumatic tires, which has a total gross weight, including vehicle and load, in excess of the following requirements shall be operated or moved upon any public road, street or highway within the City and County of Honolulu, except as hereinafter provided:

a. The total gross weight of any such vehicle or combination of vehicles shall not exceed that determined by the following formula:

'W' = 800 (L + 40); in which 'W' is the total gross weight, including vehicle and load, and 'L' is the distance in feet between the first and last axles of the vehicle or combination of vehicles.

b. The total gross weight upon any two or more consecutive axles of any such vehicle or combination of vehicles, when the distance between the first and last axles of said two or more axles is eighteen feet or less, shall not exceed that determined by the following formula:

'W' = 700 (L + 40); in which 'W' is the total gross weight imposed upon the highway by the group of axles under consideration, and 'L' is the distance in feet between the first and last axles of the group of axles under consideration.

c. The total gross load imposed upon the highway by any single axle shall not exceed twenty-four thousand pounds. For the purposes of this subparagraph, axles placed in the same transverse plane which are closer than forty-two inches shall be considered as one axle.

d. The total gross load imposed upon the highway by any one wheel, either single or dual mounting, shall not exceed twelve thousand pounds.

2. **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 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. Further, no vehicle or trailer which is equipped wholly or partly with metal tires or other hard non-resilient material shall be operated upon any highway unless a special permit for each such operation be first obtained from the Chief Engineer of the Department of Public Works of the City and County of Honolulu.

No vehicle equipped with pneumatic tires, the weight of which

with its load exceeds eight hundred 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 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 per cent or when the variation in thickness on any part of the traction surface shall exceed fifteen 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 inch between the outside diameters of each of the single tires composing the dual tire.

**3. Projecting loads on passenger vehicles.** No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle or extending more than 6 inches beyond the line of the fenders on the right side thereof.

**4. 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 load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

**5. Trailers and towed vehicles.**

a. When one vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby and said drawbar or other connection shall not exceed 15 feet from one vehicle to the other except that the connection may be longer between any two vehicles transporting poles, pipes, machinery, or other objects of such structural nature as cannot readily be dismembered.

b. When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than 12 inches square.

**6. Police officers may weigh vehicles and require removal of excess loads.**

a. Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same by means of either portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within 2 miles.

b. Whenever an officer upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this Section. All material so unloaded shall be

cared for by the owner or operator of such vehicle at the risk of such owner or operator.

c. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing when directed by an officer or who fails or refuses to otherwise comply with the provisions of this paragraph, shall be guilty of a misdemeanor.

**7. Liability for damage to highway or structure.**

a. Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which said highway or structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operating, driving, or moving any such vehicle, object, or contrivance weighing in excess of the permitted maximum weight but authorized by a special permit issued as provided in this Section.

b. Whenever such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the expressed or implied permission of its owner, then said owner and driver shall be jointly and severally liable for any such damage.

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

**9. Restricting the use of A. A. Wilson Bridge at Wahiawa.**

a. No person shall drive or operate any motor vehicle having an aggregate weight of vehicle and load in excess of 20 tons over the A. A. Wilson Bridge. Nor shall any person drive or operate any motor vehicle, except a passenger automobile, over said A. A. Wilson Bridge when there is another such motor vehicle, approaching in the opposite direction over said A. A. Wilson Bridge.

b. No person shall drive any motor vehicle over said A. A. Wilson Bridge at a greater speed than 10 miles per hour.

c. The driver of any motor vehicle, except a passenger automobile, when traveling over said A. A. Wilson Bridge shall not approach within 30 feet of another motor vehicle proceeding in the same direction.

**10. 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 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 foregoing provisions shall not apply to an authorized emergency vehicle, as defined hereinbefore, while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties, nor to a vehicle, the owner or operator of which shall have obtained from the Chief Engineer of the City and County of Honolulu a permit authorizing the operation of such vehicle over the described road. Said Chief Engineer shall issue such a permit only when it shall appear to his satisfaction that an emergency exists necessitating the issuance of such a permit.

**11. Restricting the use of the Pali Road by heavy vehicle.**

a. No person shall drive or operate 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 8:00 a.m. and from 4:15 p.m. to 5:30 p.m. on any week day when such truck, with or without load, weighs in excess of three tons.

b. For the purposes of this paragraph, the term "truck" applies to trailers, semi-trailers, tractors, and motor vehicles designed or used primarily for the transportation of property and

includes passenger-carrying vehicles, the bodies of which are temporarily fashioned or reconstructed for the conveyance of passengers, unless such reconstructed vehicles operate as buses under permits issued by the Public Utilities Commission of the Territory of Hawaii or unless the owners thereof have paid the seat capacity license fees as provided by law.

**12. Restricting the use of Kaneohe Bay Drive.**

a. No person shall drive any truck in either direction over Kaneohe Bay Drive when such truck with load weighs in excess of seven tons.

b. The provisions of this paragraph shall not apply to an authorized emergency vehicle, as defined hereinbefore, while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties, nor to a vehicle, the owner or driver of which shall have obtained from the Chief Engineer of the City and County of Honolulu a permit authorizing the operation of such vehicle over the above described Drive. Said Chief Engineer shall issue such a permit only when it shall appear to his satisfaction that an emergency exists necessitating the issuance of such a permit.

**13. Permit to move equipment of excessive weight, width or height.**

a. The Chief Engineer of the City and County of Honolulu may issue a permit for the moving of vehicles, equipment or other objects which do not meet the standards of weight, width or height or other requirements mentioned in paragraphs 1, 2 and 8 of Section XIX, over any street, 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 movement.

b. In the movement of any such vehicle, equipment or other object referred to in this paragraph on streets upon which power lines of the Honolulu Rapid Transit Company exists, no permit shall be granted by said Chief Engineer for such movement unless and until the applicant has made arrangements with the Honolulu Rapid Transit Company for such movement.

**SECTION XX. PENALTIES AND PROCEDURE ON ARREST.**

**1. Procedure upon arrest.** Except when authorized or directed under Territorial law to immediately take a person arrested for a violation of any of the traffic laws before a magistrate, any authorized police officer, upon making an arrest for violation of the Territorial traffic laws or traffic ordinances of the City and County of Honolulu, shall take the name, address, and operator's license number of the alleged violator and the registered number of the motor vehicle involved and shall issue to him in writing a summons or citation, hereinafter described, warning him to answer to the charge against him at a place and at a time within 5 days after such arrest.

**2. Summons or citation.** There shall be provided for use by authorized police officers a form of summons or citation for use in citing violators of those traffic laws which do not mandate the physical arrest of such violators. Said summons or citation shall be printed in a form commensurate with the form of other summonses and/or citations used in modern methods of arrest, so designed to include all necessary information to make the same valid and legal within the laws and regulations of the Territory of Hawaii and the City and County of Honolulu, T. H. It is further provided that the said form shall consist of an original plus two carbon copies.

Except as otherwise provided in this Ordinance, the person arrested by receiving such citation shall affix his signature to same, thereby acknowledging receipt of the citation. Refusal to sign said citation will subject the violator to physical arrest.

In every case when a citation is issued the original of same shall be given to the violator or in case of an unattended vehicle the original of same shall be affixed to said vehicle as provided for in paragraph 4 of this Section. The officer issuing any such citation shall deliver or cause to be delivered the first carbon copy of said citation to the Traffic Violations Bureau of the Honolulu Police Department. The second carbon copy of the said citation will remain in the book of citations and be returned to the Traffic Division of the said Police Department when all citations in the book have been issued. In no case shall the second carbon copy of any traffic citation be removed from the book or numerical order from which it was issued.

Every citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original.

After use, all citation books shall be forwarded to the Traffic Safety Commission with the second carbon copy of every citation issued intact therein and disposition noted thereon as "Court Action" or "Bail Forfeiture."

**3. Failure to obey summons.** Any person who fails to appear at the place and within the time specified in the summons or citation issued to him by an officer upon his arrest for any traffic violation is guilty of a misdemeanor regardless of the disposition of the charge of which he was originally arrested.

**4. Summons or citation on illegally parked vehicle.** Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions contained in this Ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a summons, hereinbefore described, for the driver to answer to the charge against him within 5 days during the hours and at a place specified in the summons, and in such case the signature of the driver or owner of such a vehicle shall not be required on the said summons.

**5. Failure to comply with summons attached to parked vehicle.** If a violator of the restrictions on stopping, standing, or parking under this Ordinance does not appear in response to a summons affixed to such motor vehicle within a period of 5 days, the Traffic Violations Bureau of the Honolulu Police Department shall send to the owner of the motor vehicle to which the summons was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of 5 days a complaint will be filed and warrant of arrest issued.

**6. When complaint to be issued.** In the event any person fails to comply with a summons or citation given to such person or attached to a vehicle, or if any person fails or refuses to deposit bail as required and within the time permitted, the Traffic Violations Bureau of the Honolulu Police Department shall forthwith have a complaint entered against such person and secure the issuance of a warrant for his arrest.

**7. 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 that 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.

**8. 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 respec-

tive 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.

9. **Severability.** If any provision of this Ordinance is held for any reason invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

10. **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 dollars or by imprisonment in the Honolulu jail for not more than one year, or by both such fine and imprisonment.

11. **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.

12. **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 XXI. TITLE VII, CHAPTER 15, OF THE REVISED ORDINANCES OF HONOLULU 1942, AS AMENDED, REPEALED.**

Title VII, Chapter 15, of the Revised Ordinances of Honolulu 1942, to-wit: Sections 1200 to 1331 thereof inclusive, as amended by Ordinances numbered 960, 965, 973, 977, 986, 1016, 1017, 1020, 1028, 1033, 1037, 1052, 1054, 1055, 1056, 1060, 1061, 1066, 1067, 1069, 1072, 1075, 1078, 1089, 1093, 1109 and 1110, is hereby repealed.

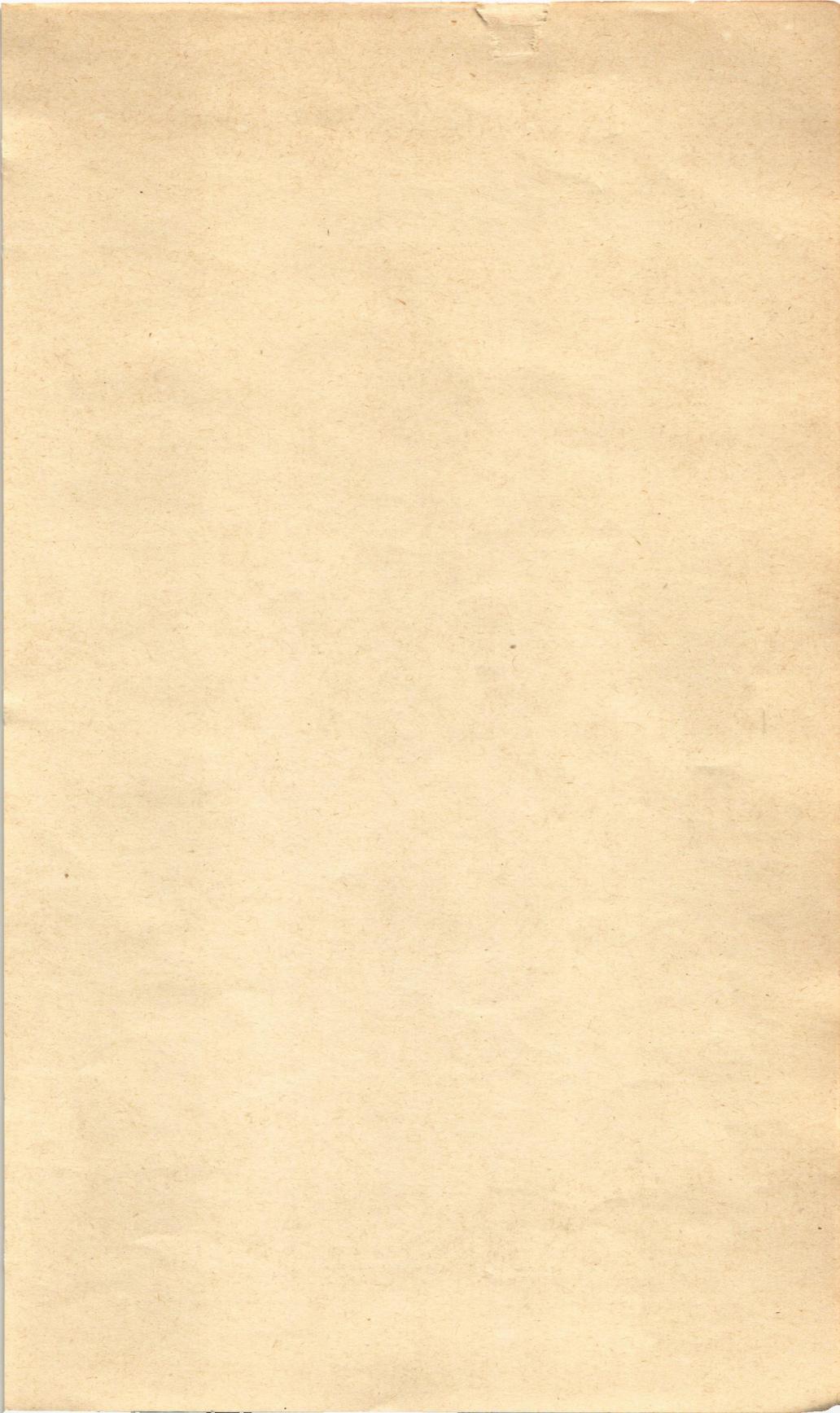
**SECTION XXII.** This Ordinance shall take effect from and after the date of its approval, save and except as otherwise herein provided.

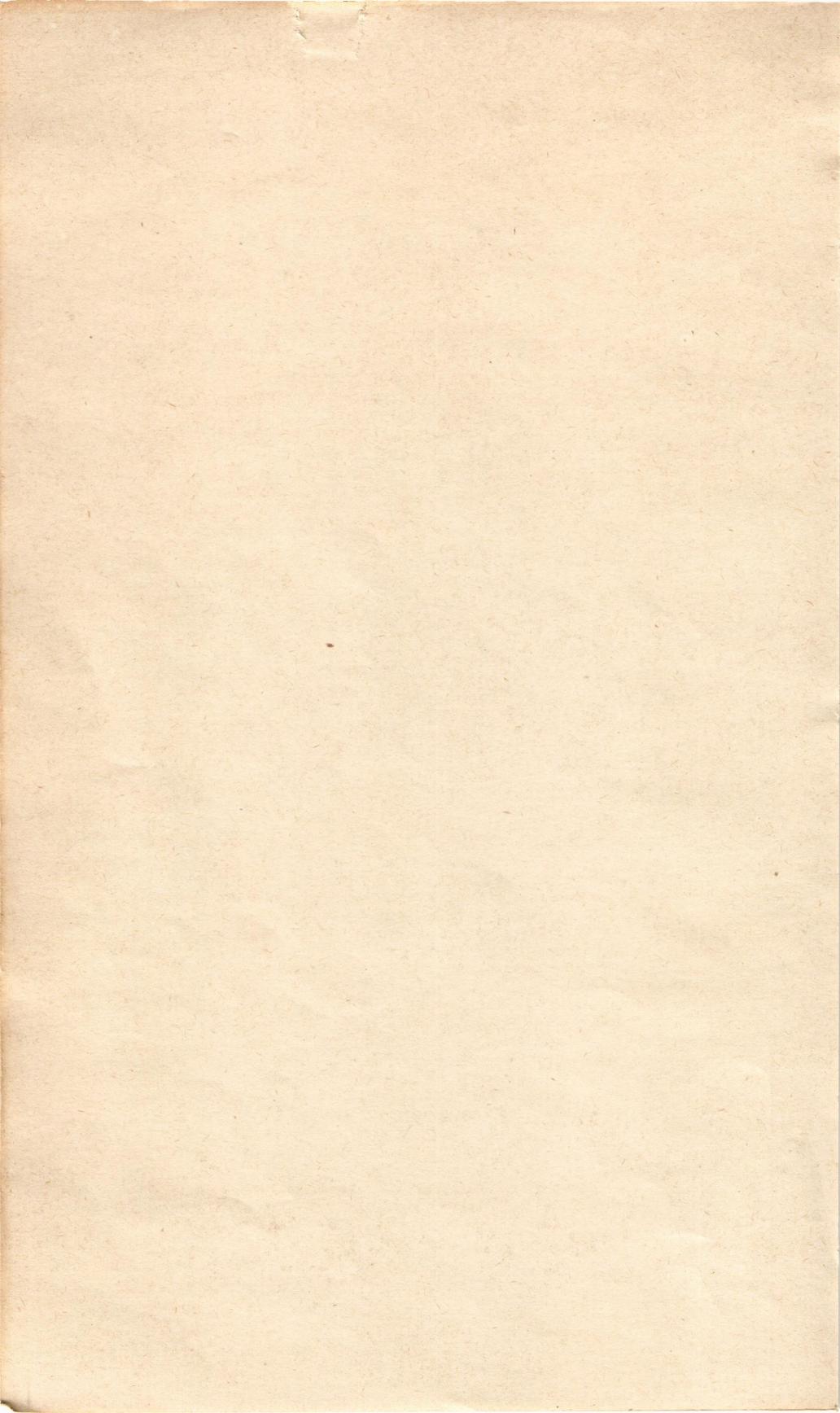
INTRODUCED BY  
(s) NOBLE K. KAUHANE  
Supervisor

DATE OF INTRODUCTION:  
July 6, 1948  
Honolulu, T. H.

Approved this 16th day of September, A.D. 1948.

(S) JOHN H. WILSON  
Mayor,  
City and County of Honolulu  
(Hon. Adv.: Sept. 25, 1948)





# ORDINANCE NO. 1129

BILL NO. 36 (1948)

AN ORDINANCE TO AMEND ORDINANCE NO. 1128 OF THE CITY AND COUNTY OF HONOLULU RELATING TO THE CODE FOR THE REGULATION AND CONTROL OF TRAFFIC ON THE STREETS AND HIGHWAYS OF THE CITY AND COUNTY OF HONOLULU, BY AMENDING PARAGRAPH 10-h OF SECTION II THEREOF, PERTAINING TO THE DEFINITION OF LIMITED-ACCESS HIGHWAY; BY AMENDING PARAGRAPHS 1-c AND 2-b OF SECTION III THEREOF, PERTAINING TO TRAFFIC ADMINISTRATION; BY AMENDING PARAGRAPH 1 OF SECTION VII THEREOF, PERTAINING TO SPEED RESTRICTIONS; BY ADDING THERETO A NEW SUB-PARAGRAPH TO BE DESIGNATED b FOLLOWING PARAGRAPH 8-a OF SECTION VII, PERTAINING TO THE SPEED OF VEHICLES CARRYING EXPLOSIVES AS CARGO; BY AMENDING THE DESCRIPTION OF "MONSARRAT AVENUE" AS A THROUGH STREET APPEARING IN PARAGRAPH 1 OF SECTION XII THEREOF; BY AMENDING PARAGRAPH 2-b OF SECTION XIII THEREOF, PERTAINING TO THE REMOVAL OF ILLEGALLY STOPPED VEHICLES; BY AMENDING PARAGRAPH 19 OF SECTION XIV THEREOF, PERTAINING TO PASSENGERS CARRIED ON TRUCKS; BY AMENDING PARAGRAPH 30 OF SECTION XVII THEREOF, PERTAINING TO VEHICLES TRANSPORTING EXPLOSIVES AND FLAMMABLE LIQUIDS; BY AMENDING PARAGRAPHS 2, 8 AND 13-a OF SECTION XIX THEREOF, PERTAINING TO WEIGHT, SIZE AND LOAD; BY AMENDING PARAGRAPHS 1, 2, 4 AND 5 OF SECTION XX THEREOF, PERTAINING TO PENALTIES AND PROCEDURE ON ARREST; ALL PERTAINING TO TRAFFIC.

BE IT ORDAINED by the People of the City and County of Honolulu:

Section 1. Ordinance No. 1128 of the City and County of Honolulu is hereby amended in the following respects:

a. By amending paragraph 10-h of SECTION II (DEFINITIONS) thereof to read as follows:

"h. **Limited-access highway.** Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by proper authority."

b. By amending paragraph 1-c of SECTION III (TRAFFIC ADMINISTRATION) thereof to read as follows:

"c. Create, define, re-define, eliminate or change all safety zones, quiet zones, play streets, traffic lanes, cross-walks, loading zones, no-parking zones, time-limit parking zones, bus stops, angle parking areas, stop intersections and designate the type of markings to be placed and maintained for the identification of such zones or areas; provided, however, that the Board shall comply with the provisions of Act 172, Session Laws of Hawaii 1945, wherever applicable;"

c. By amending paragraph 2-b of SECTION III (TRAFFIC ADMINISTRATION) thereof to read as follows:

"b. It shall be the duty of the City Traffic Engineer to determine the proper timing and maintenance of traffic control devices,

to conduct engineering analyses of accidents, to conduct engineering investigations of traffic conditions and to cooperate with the Territorial Highway Department and the Public Roads Administration; when concerned, and other officials of the City and County in the development of ways and means to prevent accidents, expedite the movement of traffic and otherwise improve traffic conditions, and to carry out the additional powers and duties imposed by this Ordinance. It shall be his duty, within the means made available, to place and maintain traffic control devices when and as required under this Ordinance."

d. By amending paragraph 1 of SECTION VII (SPEED RESTRICTIONS) thereof to read as follows:

**"1. Speed restrictions.**

a. No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled 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.

b. No person shall drive a vehicle on a street or highway at a speed in excess of the following limits:

(1) Twenty-five miles per hour:

While traveling on any street or highway within the City and County of Honolulu except on those certain highways or boulevards, or portions thereof, where a higher speed limit is warranted and so designated by proper authority;

While passing a school building, or the grounds thereof, contiguous to the street during school recess or while children are going to or leaving such school during the opening or closing hours or while the playgrounds of any such school are in use by school children.

(2) Thirty-five miles per hour while traveling on the following highways or boulevards, or indicated portions thereof; subject, however, to the limitations and extensions set forth in this section:

Aiea Naval Hospital Road, from Moanalua Road to the Aiea Naval Hospital,  
Ala Moana, between Ward Avenue and Ala Wai,  
Ala Wai Boulevard,

Date Street, from Kapiolani Boulevard to Kapahulu Road, Farrington Highway, except through the towns or villages of Nanakuli, Maili, and Waianae and from a point 500 feet east of the Waipahu Depot Road to a point 250 feet west of the westerly boundary of the Waipahu High School where the speed limit shall be twenty-five miles per hour,

Fort Kamehameha Road, from Nimitz Highway to a point 1450 feet makai therefrom,

Fort Weaver Road,

Kailua Road, from Kalaniana'ole Highway to Kalaheo Avenue, except through Kailua town where the speed limit shall be twenty-five miles per hour,

Kalaheo Avenue,

Kalaniana'ole Highway, except from the Halfway House to Kailua Junction and through the town of Waimanalo

where the speed limit shall be twenty-five miles per hour,

Kamehameha Highway, from the southern boundary of Kahuku town to its terminus at the junction of Kalanianaʻole Highway at Castle's office, except through the towns or villages of Hauula, Punaluu, Kaaawa, and Kaneohe where the speed limit shall be twenty-five miles per hour,

Kapiolani Boulevard, between Ward Avenue and Waialae Avenue,

Kaukonahua Road, from Wilikina Drive to its junction with Kamehameha Highway at the entrance to Haleiwa (Weed Junction),

Kunia Road,

Lagoon Drive (Honolulu Airport Road), from Nimitz Highway to a point approximately 450 feet from the intersection of North Road,

Moanalua Road, from the Aiea Stream Bridge to Kamehameha Highway,

Nimitz Highway, from Lagoon Drive (Honolulu Airport Road) to a point approximately 500 feet from the Pearl Harbor Main Gate,

Nuuanu Avenue, between Puiwa Street and the Old Pali Road,

Pali Road, except from the gap to the base of the Pali where the speed limit shall be twenty-five miles per hour,

Puuloa Road,

Waipahu Road, from the Waipahu Circle (Waipahu-Schofield Junction) to the easterly boundary of Waipahu town,

Whitmore Avenue, except between points approximately five hundred feet from the entrances to Whitmore Village, where the speed limit shall be twenty-five miles per hour,

Wilikina Drive.

- (3) Forty-five miles per hour while traveling on the following highways or boulevards, or indicated portions thereof; subject, however, to the limitations otherwise set forth in this section:

Fort Kamehameha Road, from its junction with Lagoon Drive to a point approximately 900 feet from its intersection with Yorktown Avenue,

Kamehameha Highway between Puuhale Road and a point 500 feet from the north-westerly boundary of Kahuku, except between the following locations:

- i. From a point 500 feet on either side of the Pearl Harbor-Aiea intersection where the speed limit shall be twenty-five miles per hour,
- ii. From a point approximately 750 feet on the town-side of Pearl City junction to a point approximately 500 feet east of said junction where the speed limit shall be twenty-five miles per hour,
- iii. Kipapa Gulch between a point 1,000 feet from the easterly end of Roosevelt Bridge and a point 1,200 feet from the westerly end of the same bridge where the speed limit shall be thirty-five miles per hour.

- iv. From a point 500 feet south of Wright Gate at Wheeler Field through Wahiawa to a point 100 feet north of the junction of Kamehameha Highway and Whitmore Avenue where the speed shall be twenty-five miles per hour,
- v. From the junction of Kamehameha Highway and Kaukonahua Road (Weed Junction) to the north-easterly boundary of Waialua Park where the speed limit shall be twenty-five miles per hour,

Kaukonahua Road, from Wilikina Drive to its junction with Kamehameha Highway at Halemano Junction, Kemoo Road, from its junction with Wilikina to Kamehameha Highway at Halemano Junction, Lagoon Drive (Honolulu Airport Road), from a point approximately 450 feet from North Road to a point approximately 425 feet from the end of the medial strip in the vicinity of Area No. 4, U. S. Navy, and from a point in the vicinity of the Naval Air Facility, Transportation Department, approximately 1,150 feet mauka of Keehi Beach Road to its terminus with Fort Kamehameha Road, Nimitz Highway, between Puuhale Road and Lagoon Drive (Honolulu Airport Road), Waiawa Cutoff.

e. By adding thereto a new sub-paragraph to be designed by following paragraph 8-a of SECTION VII (SPEED RESTRICTIONS), to read as follows:

"b. No vehicle transporting any explosive as a cargo or part of a cargo shall be operated upon any highway at a speed in excess of twenty-five miles per hour."

f. By amending the description of "MONSARRAT AVENUE" as a through street, appearing in paragraph 1 of SECTION XII (SPECIAL STOPS) thereof, to read as follows:

"MONSARRAT AVENUE, from Kalakaua to Fort Ruger Gate;"

g. By adding thereto a new sentence at the end of paragraph 2-b of SECTION XIII (STOPPING, STANDING AND PARKING) to read as follows:

"The expense incurred in the removal of such vehicle shall be borne by the owner of the vehicle."

h. By amending paragraph 19 of SECTION XIV (MISCELLANEOUS PROVISIONS) thereof to read as follows:

**"19. Carrying passengers on trucks.**

a. It shall be unlawful for an owner or 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 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 passengers are carried for hire, or if school children are carried either with or without remuneration, 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 or where such vehicle is used in transporting school children to and from school without remuneration, such permit may be issued for yearly periods.

b. Provisions herein to the contrary notwithstanding, where such vehicle is used in transporting members of the owner's immediate family for recreational purposes or where such vehicle is used in transporting not more than five persons, including the owner of such vehicle, to or from their respective places of employment, no such permit need be obtained from the Chief of Police."

i. By amending paragraph 30 of SECTION XVII (EQUIPMENT) thereof to read as follows:

**"30. Vehicles transporting explosives and flammable liquids.**

a. Every vehicle used for the transportation of any flammable liquid upon any public highway, regardless of the quantity being transported, or whether loaded or empty, shall be conspicuously and legibly marked on each side of the rear thereof with the word "INFLAMMABLE" in letters at least 3 inches high on a background of a sharply contrasting color.

b. Every vehicle transporting any explosive as a cargo or part of a cargo upon any public highway shall be marked or placarded on each side and the rear with the word 'EXPLOSIVES' in letters not less than 8 inches high, or there shall be displayed on the rear of such vehicle a red flag not less than 24 inches square marked with the word 'DANGER' in white letters 6 inches high.

c. Every vehicle used for the transportation of any explosive or flammable liquid upon any public highway shall be equipped with not less than two fire extinguishers of a type approved by the Fire Marshal of the City and County of Honolulu, filled and ready for immediate use, and placed at a convenient point on the vehicle."

j. By amending the first paragraph of paragraph 2 of SECTION XIX (WEIGHT, SIZE AND LOAD) thereof to read as follows:

"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 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 know 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. Further, no vehicle or trailer which is equipped wholly or partly with metal tires or other hard non-resilient material shall be operated upon any highway unless a special permit for each such operation be first obtained from the Territorial Highway Engineer, Department of Public Works of the Territory of Hawaii, or his representative, in case of territorial highways, or from the Chief Engineer of the Department of Public Works of the City and County of Honolulu, or his representative, in case of city and county highways."

k. By amending paragraph 8 of SECTION XIX (WEIGHT, SIZE AND LOAD) thereof to read as follows:

**"8. Width and height of vehicles restricted.** No motor vehicle or other power vehicle of a greater width than nine feet, including load, and a height of thirteen feet, shall be operated on any street or highway except under the provisions herein specified."

l. By amending paragraph 13-a of SECTION XIX (WEIGHT, SIZE, AND LOAD) thereof to read as follows:

"a. The Territorial Highway Engineer, Department of Public Works of the Territory of Hawaii, or his representative, in case of territorial highways, or the Chief Engineer of the Department of Public Works of the City and County of Honolulu, or his representative, in case of city and county highways, may issue a permit for the moving of vehicles, equipment or other objects which do not meet the standards of weight, width, or height or other requirements mentioned in paragraphs 1, 2 and 8 of SECTION XIX, over any street or highway, upon proper application in writing being made therefor. The said Chief Engineer of the Department of Public Works of the City and County of Honolulu may require a sufficient bond to protect the City and County from any loss or damage by reason of such movement."

m. By amending paragraph 1 of SECTION XX (PENALTIES AND PROCEDURE ON ARREST) thereof to read as follows:

"1. **Procedure upon arrest.** Except when authorized or directed under Territorial law to immediately take a person arrested for a violation of any of the traffic laws before a magistrate, any authorized police officer, upon making an arrest for violation of the Territorial traffic laws or traffic ordinances of the City and County of Honolulu, shall take the name, address, and operator's license number of the alleged violator and the registered number of the motor vehicle involved and shall issue to him in writing a summons or citation, hereinafter described, warning him to answer to the charge against him at a place and at a time within 48 hours after such arrest."

n. By amending paragraph 2 of SECTION XX (PENALTIES AND PROCEDURE ON ARREST) thereof to read as follows:

2. **Summons or citation.** There shall be provided for use by authorized police officers a form of summons or citation for use in citing violators of those traffic laws which do not mandate the physical arrest of such violators. Said summons or citation shall be printed in a form commensurate with the form of other summonses and/or citations used in modern methods of arrest, so designed to include all necessary information to make the same valid and legal within the laws and regulations of the Territory of Hawaii and the City and County of Honolulu, T.H. It is further provided that the said form shall consist of an original and a carbon copy.

In every case when a citation is issued the original of same shall be given to the violator or in case of an unattended vehicle the original of same shall be affixed to said vehicle as provided for in paragraph 4 of this Section. The officer issuing any such citation shall deliver or cause to be delivered the carbon copy of said citation to the Traffic Violations Bureau of the Honolulu Police Department.

Every citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original."

o. By amending paragraph 4 of SECTION XX (PENALTIES AND PROCEDURE ON ARREST) thereof to read as follows:

"4. **Summons or citation on illegally parked vehicle.** Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions contained in this Ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a summons, hereinafter described, for the driver to answer to the charge against him within 48 hours during the hours and at a place specified in the summons."

p. By amending paragraph 5 of SECTION XX (PENALTIES AND PROCEDURE ON ARREST) thereof to read as follows:

**"5. Failure to comply with summons attached to parked vehicle.** If a violator of the restrictions on stopping, standing or parking under this Ordinance does not appear in response to a summons affixed to such motor vehicle within a period of 48 hours, the Traffic Violations Bureau of the Honolulu Police Department shall issue to the owner of the motor vehicle to which the summons was affixed a penal summons ordering his appearance in court."

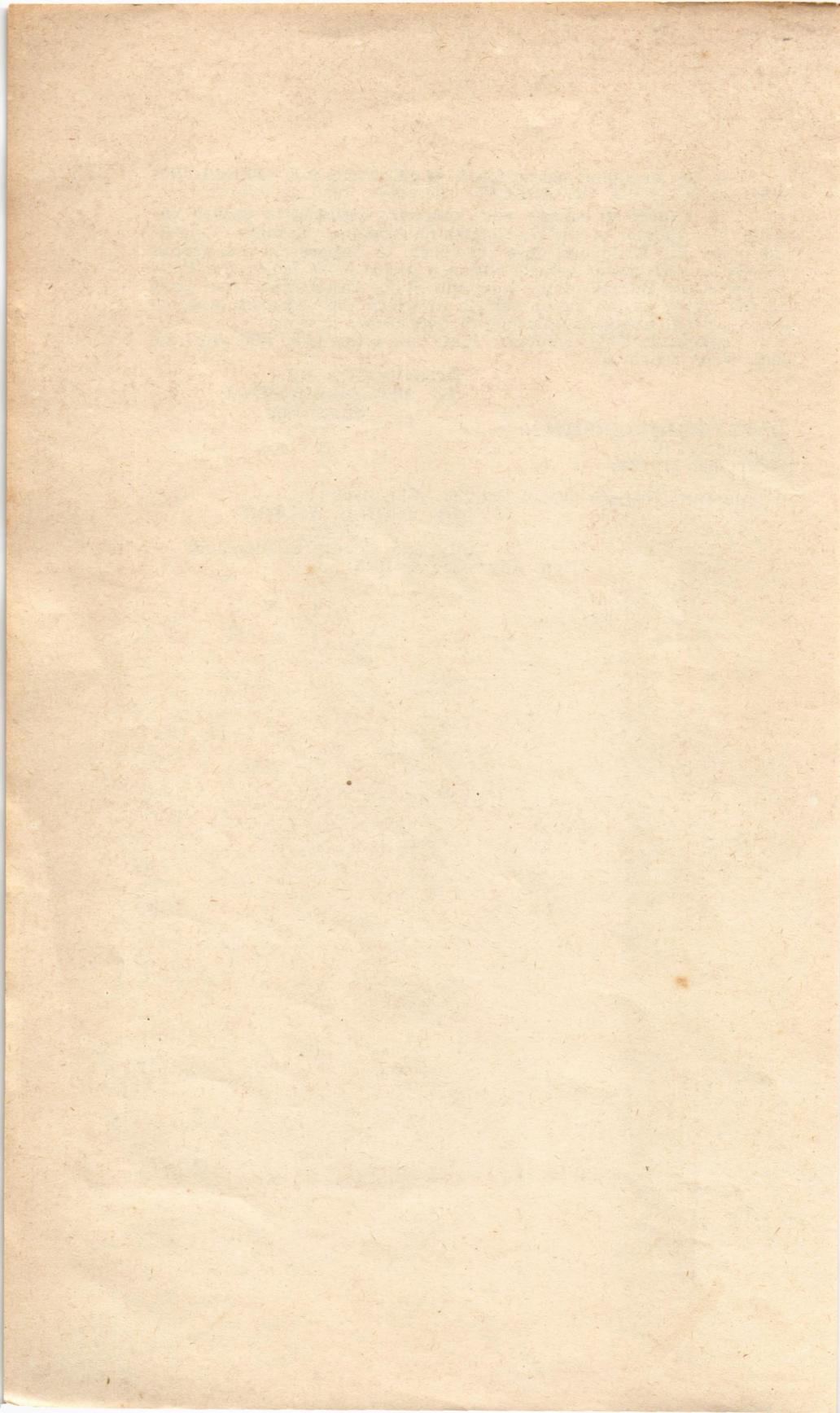
Section 2. This Ordinance shall take effect from and after the date of its approval.

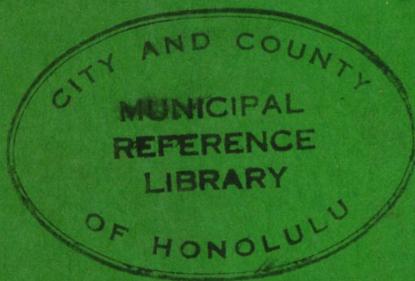
INTRODUCED BY:  
(S) BEN DILLINGHAM  
Supervisor

DATE OF INTRODUCTION:  
Honolulu, T.H.  
September 21, 1948

Approved this 6th day of October, A.D. 1948.

(S) JOHN H. WILSON  
Mayor,  
City and County of Honolulu  
(Hon. Adv.: Oct. 9, 1948)





1912