1990 Traffic Code
of the City and County of Honolulu

1997 EDITION

FOR REFERENCE
not to be taken from this room

REF.
KFX1512.15
T7
A2
1997
COPY 1

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

Printed November 1997

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Honolulu, Hawaii 96813-3066

ORDINANCE 01-48

BILL 58 (2001), CD1

A BILL FOR AN ORDINANCE

RELATING TO THE TRAFFIC CODE.

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

SECTION 1. The purpose of this ordinance is to correct the reference in Section 15-4.6, Revised Ordinances of Honolulu 1990, relating to the definition of the Waikiki special district.

SECTION 2. Section 15-4.6, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"**Sec. 15-4.6 Use of bicycles, skateboards, roller skates and similar devices restricted.**

(a) For purposes of this section, "Waikiki" means the Waikiki special district as described in Section [21-7.80-1.] 21-9.80-2.

(b) No person upon a skateboard or roller skates, or riding in or by means of any toy vehicle or similar device, shall go upon any roadway, except while crossing a street. When so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(c) No person shall ride a bicycle, skateboard or roller skates upon any sidewalk in Waikiki. Subsection (b) notwithstanding, no person may ride a skateboard or roller skates on any roadway in Waikiki.

(d) The director of transportation services shall erect official signs on or adjacent to sidewalks or roadways within Waikiki giving notice of the prohibitions of this section. The absence of such signs shall not be a defense to any prosecution for any violation of this section.

(e) Any person committing a violation of this section shall be punished by a fine of $25.00.

(f) Police officers and any other authorized officers shall issue a citation for any violation of this section, except they may arrest when the alleged violator refuses to cease the illegal activity after being issued a citation. Except as provided herein, the issuance and form of the citation shall be as provided in [Section 40-1.3(b)] HRS Section 803-6."

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Duke Bainum

DATE OF INTRODUCTION:

May 23, 2001
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 9th day of August, 2001.

JEREMY HARRIS, Mayor
City and County of Honolulu

(OCS/060101/ct)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 01-48

BILL 58 (2001)

INTRODUCTION DATE: MAY 23, 2001

INTRODUCED BY: DUKE BAINUM

		AYE	NC	A/E
1ST READING DATE: 5/30/01 REMARKS: Holmes/DeSoto - Bill passed 1st reading and referred to Transportation. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
2ND READING DATE: 7/11/01 DRAFT: CD1 COMMITTEE REPORT: TCR-296 PUBLIC HEARING DATE: 7/11/01 REMARKS: 6/20/01 - TCR-296 adopted/Recommended passage on 2nd reading, as amended in CD1 form, and scheduling a public hearing. 7/11/01 - Bainum/Mansho - Bill passed 2nd reading, as amended. - 9. Public hearing held concurrently, closed and referred to Transportation.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
3RD READING DATE: 8/1/01 DRAFT: CD1 COMMITTEE REPORT: TCR-351 REMARKS: Bainum/Mansho - Bill passed 3rd reading. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0

Referred to: TRANSPORTATION
Reference:

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

Genevieve G. Wong

GENEVIEVE G. WONG, CITY CLERK

JON C. YOSHIMURA, CHAIR AND PRESIDING OFFICER

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 01-36

BILL 37 (2001), CD1

A BILL FOR AN ORDINANCE

RELATING TO VEHICLE HEIGHT.

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

SECTION 1. The purpose of this ordinance is to conform the vehicle height restriction in the City Traffic Code with Section 291-34, Hawaii Revised Statutes.

SECTION 2. Section 15-21.8, Revised Ordinance of Honolulu 1990, as amended, is further amended to read as follows:

"**Sec. 15-21.8 Width and height of vehicles restricted.**

[No] The width and height of a motor vehicle or other power vehicle [of a greater width than nine feet, including load, and a height of 13½ feet, shall be] operated on any street or highway [except under the provisions specified in this article] shall be in conformance with HRS Section 291-34."

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Duke Bainum

DATE OF INTRODUCTION:

April 10, 2001
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 2nd day of July, 2001.

JEREMY HARRIS, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 01-36

BILL 37 (2001)

INTRODUCTION DATE: APRIL 10, 2001

INTRODUCED BY: DUKE BAINUM

		AYE	NO	A/E
1ST READING DATE: 4/25/01 REMARKS: Holmes/DeSoto - Bill passed 1st reading and referred to Transportation. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
2ND READING DATE: 5/30/01 DRAFT: COMMITTEE REPORT: TCR-237 PUBLIC HEARING DATE: 5/30/01 REMARKS: Bainum/Mansho - Bill passed 2nd reading. - 8. Absent: Mirikitani. - 1. Public hearing held concurrently, closed and referred to Transportation.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI			A
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	8	0	1
3RD READING DATE: 6/20/01 DRAFT: CD1 COMMITTEE REPORT: TCR-294 REMARKS: Bainum/Mansho - Bill passed 3rd reading. - 8. Excused: Mirikitani. - 1.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI			E
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	8	0	1

Referred to: TRANSPORTATION
Reference:

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

GENEVIEVE G. WONG, CITY CLERK

JON C. YOSHIMURA, CHAIR AND PRESIDING OFFICER

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 01 - 17

BILL 3 (2001), CD1

A BILL FOR AN ORDINANCE

RELATING TO THE TRAFFIC CODE.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend the penalty and enforcement provisions relating to putting glass or other injurious substances on a highway. The proposed amendments would make violation of this ordinance a petty misdemeanor and would confer authority to police officers to physically arrest violators or issue violators a citation.

SECTION 2. Section 15-24.2, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"**Sec. 15-24.2 Putting glass or other injurious substances 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 <u>or object</u> 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.

<u>(d) Upon finding probable cause to believe that there has been a violation of this section, the police officer may either arrest the person believed to be in violation or may issue to that person a summons and citation in accordance with HRS Section 803-6.</u>

<u>(e) Any person violating any provision of this section shall be subject to a fine of up to $1,000 and/or up to five days imprisonment.</u>"

SECTION 3. Section 15-26.1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 15-26.1 Procedure upon arrest.

"Except as provided in Section 15-24.2 or when authorized or directed under state 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 state traffic laws or traffic code and ordinances of the City and County of Honolulu, shall take the name, address and driver's license number of the alleged violator and license plate number or vehicle identification number of the vehicle involved, and shall issue to such person in writing a summons or citation, hereinafter described, notifying the person to answer to the complaint to be entered against him or her at a place and at a time provided in said summons or citation."

SECTION 4. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.

SECTION 5. This ordinance shall take effect upon approval.

INTRODUCED BY:

Rene Mansho (BR)

DATE OF INTRODUCTION:

January 18, 2001

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 19th day of April, 2001.

JEREMY HARRIS, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 01 - 17

BILL 3 (2001)

INTRODUCTION DATE: JANUARY 18, 2001

INTRODUCED BY: RENE MANSHO (BY REQUEST)

		AYE	NO	A/E
1ST READING DATE: 1/24/01 REMARKS: Holmes/Mansho - Bill passed 1st reading and referred to Transportation. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
2ND READING DATE: 3/14/01 DRAFT: CD1 COMMITTEE REPORT: TCR-67 PUBLIC HEARING DATE: 3/14/01 REMARKS: 2/21/01 - TCR-67 adopted/Recommend passage on 2nd reading, as amended in CD1 form, and scheduling of a public hearing. 3/14/01 - Bainum/Mansho - Bill passed 2nd reading, as amended. - 8. Excused: Mirikitani. - 1. Public hearing held concurrently, closed and referred to Transportation.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI			E
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	8	0	1
3RD READING DATE: 4/4/01 DRAFT: CD1 COMMITTEE REPORT: TCR-158 REMARKS: Bainum/Mansho - Bill passed 3rd reading. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0

Referred to: TRANSPORTATION
Reference:

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

Genevieve G. Wong

GENEVIEVE G. WONG, CITY CLERK

JON C. YOSHIMURA, CHAIR AND PRESIDING OFFICER

A BILL FOR AN ORDINANCE

RELATING TO PARKING.

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

SECTION 1. The purpose of this ordinance is to authorize the Director of Transportation Services to issue parking placards to certain City officers to enable them to park their vehicles in certain restricted areas while on official city business.

SECTION 2. Chapter 15, Article 13, Revised Ordinances of the Honolulu 1990, as amended, is further amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"**Sec. 15-13.__ Parking placards.**

(a) The director of transportation services may issue parking placards to the following city officers: members of the council, the prosecuting attorney, the mayor, the managing director, the deputy managing director, the heads and the first deputies of departments of the executive branch, including the additional first deputy of the Honolulu police department, and the manager and chief engineer and deputy manager and chief engineer of the board of water supply.

(b) Parking placards shall be effective for a 12-month period, shall state the date of expiration, be uniquely numbered, and be displayed in a location established by the director of transportation services.

(c) City officers displaying valid parking placards may park without charge while on official city business:

(1) In loading and unloading zones established under Section 15-15.1(c) and (d);

(2) In metered stalls established under Section 15-22.1(a) and (b);

(3) For periods longer than designated by official signs established under Section 15-16.1; and

(4) On any portion of a public street where on-street parking spaces are marked off and designated as established under 15-13.3(c).

(d) Parking placards issued under this section shall not be effective during a parade or special event when parking may be prohibited under Section 15-13.12."

SECTION 3. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Steve Holmes

DATE OF INTRODUCTION:

October 12, 2000
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 29th day of March, 2001.

JEREMY HARRIS, Mayor
City and County of Honolulu

(OCS/011001/ct)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 01 - 05

BILL 80 (2000)

INTRODUCTION DATE: OCTOBER 12, 2000

INTRODUCED BY: STEVE HOLMES

		AYE	NO	A/E
1ST READING DATE: 10/18/00 REMARKS: Holmes/Mansho - Bill passed 1st reading and referred to Transportation. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
2ND READING DATE: 2/21/01 DRAFT: CD1 COMMITTEE REPORT: TCR-31 PUBLIC HEARING DATE: 2/21/01 REMARKS: 1/24/01 - TCR-31 adopted/Recommend passage on 2nd reading, as amended in CD1 form, and scheduling of a public eharing 2/21/01 - Bainum/Mansho - Bill passed 2nd reading, as amended. - 9. Public hearing held concurrently, closed and referred to Transportation.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
3RD READING DATE: 3/14/01 DRAFT: CD1 COMMITTEE REPORT: TCR-119 REMARKS: Bainum/Mansho - Bill passed 3rd reading. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0

Referred to: TRANSPORTATION
Reference:

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

GENEVIEVE G. WONG, CITY CLERK

JON C. YOSHIMURA, CHAIR AND PRESIDING OFFICER

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 00-69

BILL 68 (2000), CD1

A BILL FOR AN ORDINANCE

RELATING TO STORAGE PARKING OF COMMERCIAL VEHICLES.

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

SECTION 1. The purpose of this ordinance is to limit the parking of certain long vehicles used for commercial purposes to no more than four hours on any public street.

SECTION 2. Section 15-16.6, Revised Ordinances of Honolulu 1990, as amended, is further amended to read as follows:

"**Sec. 15-16.6 Storage parking of commercial vehicles prohibited—No signs required.**

[It] (a) Except as provided in subsection (b), it is unlawful for the driver or owner of any bus, truck, truck-trailer, trailer, van, house trailer or [any] other vehicle used for commercial purposes whose gross vehicle weight rating is 10,000 pounds or more[, except vehicles of public utilities and construction equipment while actually engaged in repair or construction work or vehicles actually loading goods, wares or merchandise,] or whose vehicle length from bumper to bumper is 20 feet or more to park the same or permit the same to be parked, stand or remain motionless for a period in excess of four hours on any public street. [Any such] Such vehicle shall be subject to all parking limitations applicable thereto unless otherwise provided by law.

(b) The following shall be excepted from subsection (a):

(1) Construction equipment and public utility vehicles, but only when such equipment and vehicles are actively being used for repair or construction work; and

(2) Vehicles actively being used for the loading of goods, wares or merchandise."

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances

of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.

SECTION 4. This ordinance shall take effect 180 days after its approval.

INTRODUCED BY:

Duke Bainum

Councilmembers

DATE OF INTRODUCTION:

August 3, 2000
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 8th day of December, 2000.

JEREMY HARRIS, Mayor
City and County of Honolulu

(OCS/100400/ct)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 00 - 69

BILL 68 (2000)

INTRODUCTION DATE: AUGUST 3, 2000

INTRODUCED BY: DUKE BAINUM

		AYE	NO	A/E
1ST READING DATE: 8/9/00 REMARKS: Holmes/Mansho - Bill passed 1st reading and referred to Transportation. - 7. ****Hannemann and Kim resigned on 7/25/00.**	BAINUM	X		
	DeSOTO	X		
	FELIX	X		
	HANNEMANN	**		
	HOLMES	X		
	KIM	**		
	MANSHO	X		
	MIRIKITANI	X		
	YOSHIMURA	X		
	TOTAL	7	0	0
2ND READING DATE: 11/15/00 DRAFT: CD1 COMMITTEE REPORT: TCR-420 PUBLIC HEARING DATE: 11/15/00 REMARKS: 10/18/00 - TCR-420 adopted/Recommend passage on 2nd reading, as amended in CD1 form, and scheduling of a Public Hearing. 11/15/00 - Bainum/Mansho - Bill passed 2nd reading, as amended. - 9. Public hearing held concurrently, closed and referred to Transportation.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0
3RD READING DATE: 12/1/00 DRAFT: CD1 COMMITTEE REPORT: TCR-507 REMARKS: Bainum/Mansho - Bill passed 3rd reading. - 9.	BAINUM	X		
	CACHOLA	X		
	DeSOTO	X		
	FELIX	X		
	HOLMES	X		
	MANSHO	X		
	MIRIKITANI	X		
	OKINO	X		
	YOSHIMURA	X		
	TOTAL	9	0	0

Referred to: TRANSPORTATION
Reference:

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

GENEVIEVE G. WONG, CITY CLERK

JON G. YOSHIMURA, CHAIR AND PRESIDING OFFICER

KFX 1512.15
T7
A2
1997
copy 1

PREFACE

This traffic code was prepared in compliance with Hawaii Revised Statutes, Sections 46-2.1 and 46-2.2, as amended, and Section 3-205 of the 1973 Revised Charter of the City and County of Honolulu (1994 Edition).

This traffic code contains all of the amendments subsequent to the adoption of the "Traffic Code of the City and County of Honolulu 1993 through February 28, 1997.

Users are advised to refer to the provisions of Act 150, Session Laws of Hawaii 1971 (Statewide Traffic Code) because certain provisions which have been superseded by said Act have been eliminated from this traffic code.

MUNICIPAL REFERENCE & RECORDS CENTER
City & County of Honolulu
City Hall Annex, 558 S. King Street
Honolulu, Hawaii 96813

Chapter 15

TRAFFIC CODE

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2. Definitions
3. Traffic Administration
4. Enforcement and Obedience to Traffic Regulations
5. Accident Reports
6. Traffic Control Devices
7. Speed Restrictions
8. Starting, Stopping and Turning—Signals
9. Driving in No-Passing Zones and Divided Highways
10. One-Way Streets
11. Right-of-Way
12. Special Stops
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Article 1. Traffic Regulation

Sections:

15-1.1 Purpose of ordinance.

Sec. 15-1.1 Purpose of ordinance.

The provisions hereinafter set forth are to provide for the regulation of traffic upon the public streets of the City and County of Honolulu; and such private streets, highways or thoroughfares which for six months or more have been continuously used by the general public or which are intended for dedication to the public use as provided in HRS Section 264-1 and are open for public travel but have not yet been accepted by the city, except private roads used primarily for agricultural purposes; and for bicycle paths constructed on easements granted to the City and County of Honolulu, and this chapter may be cited as the traffic code (1990) of the City and County of Honolulu.
(Sec. 15-1.1, R.O. 1978 (1983 Ed.))

Article 2. Definitions

Sections:

15-2.1 Definition of words and phrases.
15-2.2 Abandoned vehicle.
15-2.3 Anti-speed bump.
15-2.4 Authorized vehicle.
15-2.5 Bikeway.
15-2.6 Curb loading zone – Tow-away zone.
15-2.7 Explosives – Flammable substances.
15-2.8 Gross weight.
15-2.9 Mail box.
15-2.10 Merging traffic.
15-2.11 Mobility handicapped passenger – Special transit service vehicle.
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15-2.15 Parade.
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15-2.24 Tire.
15-2.25 Tractor.
15-2.26 Traffic control device.
15-2.27 Traffic violations bureau.

15-2.28 Trailer.
15-2.29 Vehicles and related terms.
15-2.30 Yield right-of-way.

Sec. 15-2.1 Definition of words and phrases.

The following words and phrases when used in this traffic code shall, for the purposes thereof, have the meanings respectively ascribed to them in this article, unless it is apparent from the context that a different meaning is intended. Words not specifically defined herein shall have the meaning ascribed to them under HRS Chapter 291C. (Sec. 15-2.1, R.O. 1978 (1983 Ed.))

Sec. 15-2.2 Abandoned vehicle.

"Abandoned vehicle" means any vehicle left unattended for more than 24 hours on a public highway. (Sec. 15-2.2, R.O. 1978 (1983 Ed.))

Sec. 15-2.3 Anti-speed bump.

"Anti-speed bump" means a convex mound, approximately three feet wide at the base and approximately four inches high in height at the apex, placed across the width of a public street for the purpose of controlling the speed of vehicular traffic. (Sec. 15-2.3, R.O. 1978 (1983 Ed.))

Sec. 15-2.4 Authorized vehicle.

"Authorized emergency vehicle" means any vehicle of the police and fire departments of the City and County of Honolulu, or of a federal agency having similar functions of law enforcement and fire protection as the police and fire departments of the City and County of Honolulu; any vehicle privately owned by police officers designated and approved by the chief of police to be used by them in the performance of their duties and any federal, state and city and county ambulance. It also means any other vehicle, including vehicles under private ownership, as may be designated after inspection by and approval of the director of finance with the exception of privately owned ambulances, which shall be inspected and approved by the emergency medical services systems branch of the State of Hawaii department of health.

"Authorized maintenance vehicle" means any vehicle of the City and County of Honolulu, the State of Hawaii, and the federal government which is used in street lighting, traffic signal, highway construction and highway repair and maintenance work. Also included in this definition are all vehicles used in public utilities construction and repair and maintenance work by public utility corporations that are designated as authorized maintenance vehicles by ordinance passed by the city council and which are registered as such with the police department.

"Authorized tow vehicle" means any vehicle specially constructed for towing vehicles, other than trucks and farm or

road tractors, which is designated as an authorized tow vehicle by the director of finance. (Sec. 15-2.4, R.O. 1978 (1983 Ed.))

Sec. 15-2.5 Bikeway.

"Bicycle lane" means that portion of a roadway set aside for the use of either one-way or two-way bicycle traffic.

"Bicycle path" means a pathway for bicycles and pedestrians, physically separated from motor traffic.

"Bikeway" is a general term including bicycle lanes or bicycle paths. (Sec. 15-2.5, R.O. 1978 (1983 Ed.))

Sec. 15-2.6 Curb loading zone – Tow-away zone.

"Curb loading zone" means a space, adjacent to a curb, reserved for the exclusive use of vehicles during the loading or unloading of passengers, materials or freight.

"Freight curb loading zone" means a space, adjacent to the curb, for the exclusive use of vehicles during the loading or unloading of freight.

"Passenger curb loading zone" means a place, adjacent to a curb, reserved for the exclusive use of vehicles during the loading or unloading of passengers.

"Tow zone" or "tow-away zone" means any street or highway, or portion thereof, designated by the city council by ordinance as a tow or tow-away zone, whereon the parking, stopping or standing of vehicles is prohibited entirely or during specific hours. (Sec. 15-2.6, R.O. 1978 (1983 Ed.))

Sec. 15-2.7 Explosives – Flammable substances.

"Explosive" means 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 combustive 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 destructive effects on contiguous objects or of destroying life or limb; provided, however, that the term "explosives" as defined herein shall not include the following items:

(1) Fireworks, as defined in Section 20-4.1, ROH 1990, as amended, including those articles excluded from said definition and set forth in said section; and

(2) Fixed ammunition for small arms.

"Flammable liquid" means any liquid which has a flashpoint of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent test device. (Sec. 15-2.7, R.O. 1978 (1983 Ed.))

Sec. 15-2.8 Gross weight.

"Gross weight" means the combined weight of a vehicle and the weight of any load thereon. (Sec. 15-2.8, R.O. 1978 (1983 Ed.))

Sec. 15-2.9 Mail box.

"Mail box" means any box, receptacle or container placed along the public streets or highways, owned, maintained or used by the United States Postal Service for the deposit, storage or collection of mail. (Sec. 15-2.9, R.O. 1978 (1983 Ed.))

Sec. 15-2.10 Merging traffic.

"Merging traffic" means a maneuver executed by the driver of a vehicle where separate roadways or streams of traffic moving in the same general direction converge to form a single stream of traffic and wherein the driver of each vehicle involved is required to adjust such person's vehicular speed and lateral position so as to avoid a collision with any other vehicle. (Sec. 15-2.10, R.O. 1978 (1983 Ed.))

Sec. 15-2.11 Mobility handicapped passenger – Special transit service vehicle.

"Mobility handicapped passenger" means a passenger who is:

(1) Certified as paratransit eligible under Section 13-4.2; or

(2) A disabled person as defined under Section 15-2.18, whether or not holding a disabled identification card issued under Section 15-24.10.

"Special transit service vehicle" means:

(1) A vehicle of the special transit service operated by the transit management services contractor under the authority of Article 4, Chapter 13. Such a vehicle shall not be required to have the permit or decal issuable under Section 15-24.21; or

(2) A vehicle on which is placed a valid decal issued under Section 15-24.21.

(Added by Ord. 89-58; Am. Ord. 96-30)

Sec. 15-2.12 Muffler.

"Muffler" means a device consisting of a series of baffle plates, or chambers, or perforated tube or tubes with spun glass, spun steel or other type of sandwich packing, or of other mechanical design or construction, for the purpose of receiving exhaust gas and effectively reducing exhaust noise from the motor of a motor vehicle. (Sec. 15-2.11, R.O. 1978 (1983 Ed.))

Sec. 15-2.13 Noise, excessive or unusual.

"Excessive or unusual noise" means noise in excess of the usual noise which would necessarily result from the operation of a motor when reduced to the minimum by a muffler such as is defined in this article. (Sec. 15-2.12, R.O. 1978 (1983 Ed.))

Sec. 15-2.14 Official time standard.

Whenever certain hours are named in this code they shall mean standard time or daylight saving time as may be in current use in the City and County of Honolulu. (Sec. 15-2.13, R.O. 1978 (1983 Ed.))

Sec. 15-2.15 Parade.

"Parade" means any march, procession or assembly consisting of persons, animals, bicycles or vehicles, or combination thereof, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls. (Sec. 15-2.14, R.O. 1978 (1983 Ed.))

Sec. 15-2.16 Parking meter.

"Parking meter" means a mechanical device located or installed within or upon the curb or sidewalk area or public parking area, immediately adjacent to a parking space. The device shall record a certain number of minutes or hours by the use of a time-measuring device determining the period of time for which parking privileges have been extended to persons depositing the required coin and operating the actuating device as set forth in this code.

"Parking meter space" means any space which is within a parking meter zone, adjacent to a parking meter, and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

"Parking meter zone" means a street, or a portion of a street, established by ordinance as a zone in which the parking of vehicles upon such street shall be regulated by parking meters. (Sec. 15-2.15, R.O. 1978 (1983 Ed.))

Sec. 15-2.17 Peak traffic hours.

"Peak traffic hours" means the prescribed time limits during the morning and afternoon hours, designated by official signs, during which the stopping, standing or parking of vehicles, even momentarily, would create a hazardous condition, or would cause unusual delay to traffic or otherwise impede the flow of traffic. Any regulation regarding the stopping, standing or parking of vehicles upon any specific street, streets or highways during such periods shall become effective on the date of erection of appropriate signs indicating such regulation.

"Afternoon peak traffic hours" and "afternoon peak period" mean the hours of three-thirty p.m. to five-thirty p.m., Monday through Friday, except holidays. Whenever the terms "three p.m. to six-thirty p.m." or "three p.m. to six p.m." appear in this code, the same shall be amended to read "three-thirty p.m. to five-thirty p.m."

"Morning peak traffic hours" and "morning peak period" mean the hours of six-thirty a.m. to eight-thirty a.m., Monday through Friday, except holidays. Whenever the term "six a.m. to nine

a.m." appears in this code, the same shall be amended to read "six-thirty a.m. to eight-thirty a.m." (Sec. 15-2.16, R.O. 1978 (1983 Ed.))

Sec. 15-2.18 Disabled person and related terms.

For purposes of Section 15-24.10:

"Certificate of disability" shall have the same meaning as is ascribed to that term in HRS Section 291-51 and HAR Section 19-150-4.

"Disabled person" shall have the same meaning ascribed to that term in HRS Section 291-51 and HAR Section 19-150-4.

"HAR" means the Hawaii Administrative Rules.

"Person" means a natural person.

"Placard" means a "removable windshield placard" or a "temporary removable windshield placard" as those terms are defined in HRS Section 291-51 and HAR Section 19-150-4 and includes a similar placard issued by an authority of another county of the State of Hawaii or of another state or country or political subdivision thereof.

"Special license plates" shall have the same meaning as is ascribed to that term in HRS Section 291-51 and HAR Section 19-150-4 and includes similar special license plates issued by an authority of another county of the State of Hawaii or of another state or country or political subdivision thereof.

"State law and rules" or "State law or rules" means HRS Chapter 291, Part III and/or Title 19, Subtitle 6, Chapter 150 of the Hawaii Administrative Rules, entitled "Parking for Persons with Disabilities."

(Sec. 15-2.17, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord.96-54)

Sec. 15-2.19 Public holiday.

"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 state, and Sundays. (Sec. 15-2.18, R.O. 1978 (1983 Ed.))

Sec. 15-2.20 Safety glass.

"Safety glass" means 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 similar product as may be approved by the chief of police. (Sec. 15-2.19, R.O. 1978 (1983 Ed.))

Sec. 15-2.21 School – School zone.

"School" means any public or private organization giving regular instruction and having an average daily attendance of 50 students or more.

"School crossing zone" means that portion of any street or public property or way within or without any school zone which the director of transportation services may designate for the crossing of those attending a school.

"School zone" means each and every street and all public property or ways within 1,000 feet of the boundaries of any school. (Sec. 15-2.20, R.O. 1978 (1983 Ed.))

Sec. 15-2.22 Stop line.

"Stop line" means a clearly visible solid white line or lines extending across a roadway or any portion thereof to indicate the point at which all vehicles of whatever class are required to stop in compliance with the requirements of this code. (Sec. 15-2.21, R.O. 1978 (1983 Ed.))

Sec. 15-2.23 Streets and related terms.

"Acceleration lane" means 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.

"Center of intersection" means the point of intersection of the center lines of the roadways of intersecting highways.

"Center" or "center line" means a continuous or broken line marked upon the surface of a roadway by paint or by other traffic control devices to indicate each portion of the roadway allocated to traffic proceeding in the two opposite directions; and if the line is not so painted or otherwise marked or indicated, it is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.

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

"City transit bus lane" means a lane of a laned roadway, designated by the director of transportation services as being restricted exclusively for city transit buses, official City and County of Honolulu vehicles on authorized missions on or adjacent to the city transit bus lane, authorized tow vehicles and bicycles.

"Deceleration lane" means 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.

"Divided highway" means a highway divided into two or more separate roadways by medial strips.

"Express bus lane" or "express bus and car pool lane" means a designated lane of a laned roadway, the use of such designated lane being restricted exclusively for express city transit buses, official government vehicles on authorized missions on or adjacent to such lane, authorized tow vehicles, and such other vehicles, appropriately marked and operated to transport passengers, and authorized by the director of transportation

services of the City and County of Honolulu to use such lane; provided, that in the case of an express bus and car pool lane, in addition to the foregoing vehicles, any vehicle carrying at least three persons shall be permitted to use such lane designated as an express bus and car pool lane.

"Limited-access highway" shall have the same meaning as "controlled-access highway" as the latter term is defined in HRS Chapter 291C.

"Medial strip" means 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 does not include traffic lines painted on a highway, nor the portion of such highway enclosed by said traffic lines.

"Multiple-lane highway" means any public highway the roadway of which is of sufficient width to reasonably accommodate four or more separate lanes of vehicular traffic, two or more lanes in each direction, each lane of which shall be not less than eight feet in width and whether or not such lanes are marked and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking.

"One-way street" means a public highway which is designated under Article 10 as a street or highway on which vehicular traffic moves only in one direction.

"Reversible lane" means a lane of a two or more laned roadway upon which traffic may be directed to move in a direction opposite from its normal direction of movement by means of a lane-control signals or other devices, in conjunction with official signs.

"Signalized intersection" means an intersection where traffic is controlled by official traffic-control signals.

"Street or highway" means the entire width between the property lines of every way publicly owned and maintained when any part thereof is open to the use of the public for purposes of vehicular travel, or any private street, highway or thoroughfare which for six months or more has been continuously used by the general public or which is intended for dedication to the public use as provided in HRS Section 264-1 and is open for public travel but has not yet been accepted by the city, except private roads used primarily for agricultural purposes.

"Street block" means one side of any street, the length of such side extending between two consecutive intersections; or, in the case of a dead-end street, one side of such dead-end street, the length of such side extending between the dead-end and the nearest intersection.

"Through street" shall have the same meaning as "through highway" as the latter term is defined in HRS Chapter 291C.

"Traffic island" means a defined area between traffic lanes, or a median or outer separation within an intersection.

"Two-way left turn lane" means a traffic lane at or near the center of the highway with a pair of yellow lines, one solid and

one dashed, on each side, set aside for use by vehicles making left turns in both directions from or into the highway. (Sec. 15-2.22, R.O. 1978 (1983 Ed.); Am. Ord. 91-27, 94-78)

Sec. 15-2.24 Tire.

"Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

"Pneumatic tire" means every tire in which compressed air is designed to support the load.

"Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load. (Sec. 15-2.23, R.O. 1978 (1983 Ed.))

Sec. 15-2.25 Tractor.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

"Road tractor" means 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.

"Truck tractor" means 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. (Sec. 15-2.24, R.O. 1978 (1983 Ed.))

Sec. 15-2.26 Traffic control device.

"Barricade" means every barrier, obstruction or block placed upon or across any road, street, highway or sidewalk for the purpose of preventing or limiting the passage of motor vehicles or pedestrians over such street, road, highway or sidewalk during a period of construction or repair to the street, road, highway or sidewalk.

"Traffic control device" shall have the same meaning as "official traffic control device" as the latter is defined in HRS Chapter 291C.

"Warning sign" means every sign, signal, marking, barricade or device erected or placed upon any street, road, highway or sidewalk which is under construction or being repaired, for the purpose of regulating, warning or guiding motor vehicular or pedestrian traffic or otherwise stating the conditions under which traffic by motor vehicles or pedestrians may be had upon such street, road, highway or sidewalk. A warning sign shall include, but shall not be limited to a flagger placed upon any street, road or highway for the purpose of directing traffic around or upon such street, road or highway. (Sec. 15-2.25, R.O. 1978 (1983 Ed.))

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Sec. 15-2.27 Traffic violations bureau.

"Traffic violations bureau" means the traffic violations bureau of the respective district courts of the City and County of Honolulu. (Sec. 15-2.26, R.O. 1978 (1983 Ed.))

Sec. 15-2.28 Trailer.

"Pole trailer" means 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 pipes, poles or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

"Semi-trailer" means 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 including that of its load rests upon or is carried by another vehicle.

"Trailer" means every vehicle with or without motive power, other than a pole trailer, drawn by a motor vehicle and designed to carry persons or property, and so constructed that no appreciable part of its weight rests upon the towing vehicle. (Sec. 15-2.27, R.O. 1978 (1983 Ed.))

Sec. 15-2.29 Vehicles and related terms.

"City transit bus" means the same as defined under Section 13-1.1; provided, that if a bus is owned by a contractor with the city and used in the city bus system, the bus shall be deemed a "city transit bus" only during use in the city bus system.

"Combination of vehicles" includes any combination of two or more vehicles or any combination of a truck tractor with semi-trailer drawing one trailer, coupled together.

"Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations, including farm tractors, farm wagons, wagon trailers or other vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

"Mechanical street sweeper" means any motor-driven device or equipment mounted on wheels and used to sweep, clean or flush streets.

"Truck" means every motor vehicle designed, used or maintained primarily for the transportation of property.

"Pickup truck" means every truck with a gross vehicle weight rating of 10,000 pounds or less. (Sec. 15-2.28, R.O. 1978 (1983 Ed.); Am. Ord. 89-130, 91-27, 95-69)

Sec. 15-2.30 Yield right-of-way.

"Yield right-of-way," when required by an official sign, means the act of granting preference to another vehicle or pedestrian within the intersection, and to such vehicles or

pedestrians approaching from the right or left, to proceed in a lawful manner, and proceeding into the intersection only when the roadway is clear. (Sec. 15-2.29, R.O. 1978 (1983 Ed.))

Article 3. Traffic Administration

Sections:

15-3.1 Delegation.
15-3.2 Additional duties and responsibilities of the director.
15-3.3 Designation of authorized tow vehicles.

Sec. 15-3.1 Delegation.

(a) Council's Delegation.

(1) In General. The council delegates to the director of transportation services, hereinafter referred to as "director," the authority to locate, select, install and maintain traffic control devices, including temporary traffic control devices, as defined in this chapter.

(2) Temporary Traffic Control Devices.

(A) Whenever the director finds (i) that there is an emergency requiring traffic control devices or (ii) occasions requiring traffic control devices due to circumstances or activities which are the exception rather than the rule which affects the use of streets and highways (special occasions), the director may locate, select, install and maintain temporary traffic control devices. In addition, where there is a traffic problem which may be alleviated by an appropriate traffic control device, the director may conduct studies and design, fabricate and determine temporary traffic control devices which, in the director's opinion, may alleviate, relieve or eliminate the traffic problems; provided, that whenever such traffic control device is to be located, selected, installed or maintained, the director shall observe the procedures prescribed in subsection (c) of this section; and provided further, that the schedule shall be entitled "Temporary Traffic Control Device," and made a part of Article 6 of this chapter.

(B) Any temporary traffic control device shall not be in use for more than 30 calendar days; provided, that if any extension is necessary, the same procedures prescribed in subsection (c) of this section shall be observed with the publication thereof, containing a statement that this is an extension of the temporary traffic control device

which was in effect on a specific date, including the cutoff date; provided, that at no time shall a temporary traffic control device be in effect in excess of 365 days.

(C) Whenever such traffic control device is to be made permanent, the director shall repeat the procedure prescribed in subsection (c) of this section by indicating in the schedule that the schedule entitled "Temporary Traffic Control Device" is superseded and that the new schedule is to be attached to and made a part of Article 6 of this chapter.

(b) Standards to Be Observed by the Director.

(1) As far as practicable, the director shall locate, select, install and maintain all traffic control devices pursuant to or in conformance with the standards established or prescribed in the Manual on Uniform Traffic Control Devices compiled by the Federal Highway Administration, Revised Edition, 1978; provided, that the director shall comply with HRS Section 264-25, relating to federal-aid highways, wherever applicable.

(2) Whenever it is not practicable to follow the standards prescribed in subdivision (1), the director may utilize, design or fabricate traffic control devices which would promote the safety of pedestrians or motorists using city streets or highways or alleviate, relieve or eliminate the traffic problem; provided, that such traffic control devices shall be uniform whenever the traffic problem, conditions, terrain or locale requiring such traffic control devices is substantially similar.

(3) (A) This subdivision applies to a multiple-lane highway or one-way street, the design of which commences after December 31, 1994 by:

(i) The city; or

(ii) A federal or state agency or private person, with the intent of dedication or surrender to the city.

(B) Except as otherwise provided under paragraph (C):

(i) For a multiple-lane highway, the traffic lane markings shall be placed so that each of the outside lanes is at least 14 feet wide. An "outside lane" shall be the lane nearest an outside edge of the highway; and

(ii) For a one-way street with at least two lanes, the traffic lane markings shall be placed so that the extreme right lane is at least 14 feet wide. The "extreme right lane" shall be the lane nearest the right edge of the

street, as determined when facing in the direction of vehicular traffic flow.

Each of the other lanes on a multiple-lane highway or one-way street shall be at least 10 feet wide.

(C) The traffic lane marking requirements of paragraph (B) shall not apply to the portion of a multiple-lane highway or one-way street on which a bicycle lane is designated in Schedule XXXIV and appropriately delineated.

(D) The city shall not design, construct, take over, receive by dedication, or otherwise accept a multiple-lane highway or one-way street which does not comply with this subdivision.

(E) A multiple-lane highway or one-way street, to which this subdivision is not applicable, may be reconstructed or restriped to accommodate the traffic lane markings of paragraph (B) if sufficient appropriations are available and public safety will not be compromised.

(c) Procedure for Implementing.

(1) The director shall amend existing schedules which are attached to and made a part of Article 6 by deleting therefrom or adding thereto traffic control devices which are included in a schedule or adopt additional schedules which shall be attached to and made a part of Article 6 whenever the director determines that an amendment of an existing schedule is not the proper vehicle for the location, selection, installation and maintenance of the traffic control devices including schedules which would make temporary traffic control devices permanent.

(2) The director shall file with the clerk an original or adopting schedule and three copies of each type so they may be examined by the public.

(3) The department of transportation services shall publish such schedules once in a daily newspaper of general circulation. In addition, such schedule shall also be published once in a newspaper for a particular locale within the city, e.g., the Press publication, whenever such publication is available.

(4) Any permanent traffic control device shall be shrouded prior to its effective date, except those which are painted, laid, or marked on the pavement or are temporary traffic control devices which have been located and installed.

(d) Effective Date of Traffic Control Devices Located, Selected, Installed or Maintained Hereunder.

(1) Any permanent or temporary traffic control device located, selected, installed or maintained as authorized by this article shall take effect 10 working days after the publication of the appropriate schedule

in a daily newspaper of general circulation or in a newspaper for a general locale, whichever publication is later, except that:

(A) A permanent traffic control device which is to be painted, laid, or marked on the pavement shall take effect when so painted, laid, or marked. In no event shall the permanent traffic control device be painted, laid, or marked within 10 working days of the publication of the appropriate schedule; and

(B) A temporary traffic control device shall take effect on the day it is located, selected, installed or maintained.

(2) Any permanent or temporary traffic control device located, selected, installed or maintained by the director pursuant to the provisions of this article shall have the full force and effect as if it were located, selected, installed or maintained by ordinance. Any person violating such traffic control device shall be subject to the penalties provided in this article or HRS Chapter 291C.

(Sec. 15-3.1, R.O. 1978 (1983 Ed.); Am. Ord. 91-27, 94-78)

Sec. 15-3.2 Additional duties and responsibilities of the director.

The director shall cooperate with officers of the federal, state and neighbor island county governments whenever, in the director's opinion, such cooperation will promote, enhance and protect pedestrians and motorists using city streets and highways or promote, enhance and protect property connected with or related to the use or adjacent to city streets and highways.
(Sec. 15-3.2, R.O. 1978 (1983 Ed.))

Sec. 15-3.3 Designation of authorized tow vehicles.

(a) The director of finance is authorized to designate any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, as an authorized tow vehicle, subject, however, to the following conditions:

(1) A statement executed by the applicant shall accompany any application, stating that the proposed authorized tow vehicle has been thoroughly inspected and is safe to operate on the public streets. The date of such inspection shall be included in the statement.

(2) Each proposed tow vehicle shall have the necessary accessory equipment for tow vehicles, including but not limited to the following requirements and equipment: truck chassis, boom, lights, winch and cables, on the day it is inspected by the director of finance.

(3) Any other reasonable conditions which may be deemed necessary by the director of finance for the safety and welfare of the pedestrians and motorists using the

public streets while the authorized tow vehicle carries out its assigned tasks on the public streets, pursuant to rules and regulations promulgated by the director of finance as prescribed in HRS Chapter 91.

(4) The tow vehicle shall be operated in conjunction with a vehicle storage area of such size which is satisfactory to the director of finance and located in an area properly zoned for such activity.

(b) Procedure.

(1) Application. Any person desiring a vehicle to be designated as a tow vehicle by the director of finance shall file an application therefor on a form issued by the director of finance, which shall contain a request for information so as to meet the conditions contained in this section.

(2) Inspection. Prior to designation of a vehicle as a tow vehicle, the director of finance shall inspect such vehicle to determine whether it meets the conditions contained in this section.

(3) If the director of finance is satisfied that the vehicle can be designated as a tow vehicle, the director shall issue a certificate therefor which shall be renewed annually on a common date regardless of the date of initial approval; such date to be determined by the director of finance for efficient administration of this section.

(c) Denial of Application or Renewal Thereof; Suspension or Revocation of Certificate.

(1) Denial or Suspension or Revocation of Certificate.

(A) The director of finance is authorized to deny an application or renewal thereof to the owner or the owner's authorized representative or to suspend or revoke a certificate after a hearing.

(B) The director of finance shall notify the applicant or owner or such person's authorized agent in writing of the director's proposed adverse decision together with reasons therefor. Such notice shall contain a statement that the applicant or the owner or such person's agent may appeal the decision of the director of finance within 10 working days from the date noted on the notice therein to indicate that the applicant or owner or agent desires a hearing.

(2) Notice of Hearing.

(A) Whenever the applicant or owner or such person's agent requests a hearing, the director of finance shall notify the mayor to appoint a hearings officer and establish a date for such hearing with the hearings officer.

(B) The director of finance shall issue a written notice of the date of hearing to the applicant or

owner or such person's agent and such written notice may be personally served or sent by certified mail, return receipt requested.

(3) Hearings Officer.

(A) A hearings officer appointed by the mayor is authorized to conduct a hearing pursuant to the provisions of HRS Chapter 91, and after such hearing, affirm or dismiss the proposed action of the director of finance.

(B) If any decision is adverse to an applicant or owner or such person's agent, the hearings officer shall issue a written findings of fact, conclusions of law, decision and order.

(C) Whenever the hearings officer's decision is adverse to the applicant or owner or such person's agent, the hearings officer may authorize the director of finance to suspend or revoke a certificate forthwith if the director of finance submits a written report that operation of a tow vehicle is inimical to public safety; otherwise, denial of an application or renewal or suspension or revocation of a certificate shall take effect upon the service of the findings of facts, conclusions of law, decision and order to the appropriate individuals.

(D) The hearings officer shall promulgate rules and regulations for the conduct of any hearing as prescribed in HRS Chapter 91.

(d) Judicial Review. Any decision and order of the hearings officer may be appealed to a court of competent jurisdiction as prescribed in HRS Chapter 91.

(Sec. 15-3.3, R.O. 1978 (1983 Ed.))

Article 4. Enforcement and Obedience to Traffic Regulations

Sections:

15-4.1 Authority of police and fire department officials.
15-4.2 Obedience to police officers.
15-4.3 Public officers and employees to obey traffic regulations.
15-4.4 Exemptions to authorized emergency vehicles.
15-4.5 Persons propelling push-carts or riding animals to obey traffic regulations.
15-4.6 Use of bicycles, skateboards, roller skates and similar devices restricted.
(15-4.7 Operation of vehicles on approach of authorized emergency vehicles. Repealed by Ord. 95-15.)
15-4.7 Reserved.
15-4.8 Mechanical street sweepers may move in either direction on one-way streets.

15-4.9 Operation of slow-moving vehicles – Restrictions.
15-4.10 Enforcement by special officers.

Sec. 15-4.1 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 traffic code and all of the state 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 authorized to direct all traffic by voice, hand or signal in conformance with the provisions of this traffic code; 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 authorized to display portable signs within certain intersections forbidding vehicle drivers to perform specific maneuvers. Such 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.

(e) Police officers of the Honolulu police department shall be exempt from payment of fees for parking meters and from time parking restrictions while in the performance of their duty. This exemption shall also apply to employees of the Honolulu police department while attending court in their official capacity.

(Sec. 15-4.1, R.O. 1978 (1983 Ed.); Am. Ord. 88-61)

Sec. 15-4.2 Obedience to police officers.

It shall be a petty misdemeanor for any person to wilfully fail or refuse to comply with any lawful order or direction of any police officer, officers of the fire department when authorized to direct traffic as provided herein, or any other persons authorized to direct, control, or regulate traffic.
(Sec. 15-4.3, R.O. 1978 (1983 Ed.); Am. Ord. 95-15)

Sec. 15-4.3 Public officers and employees to obey traffic regulations.

The provisions of this traffic code shall apply to the driver of any vehicle owned by or used in the service of the United States government, the State 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 traffic code, except as otherwise permitted in this traffic code or by any other

ordinance of the City and County of Honolulu or by any federal or state law. (Sec. 15-4.4, R.O. 1978 (1983 Ed.))

Sec. 15-4.4 Exemptions to authorized emergency vehicles.

(a) The provisions of this traffic code 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 traffic code;

(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 or she does not endanger life or property;

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

(b) The exemptions provided for herein with reference to the movement of an authorized emergency vehicle shall apply only when the driver of such vehicle sounds a siren, bell or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp, or in the case of the Honolulu police department only, a lighted blue lamp, visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle as a warning to others.

(c) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his or her ordinary negligence or reckless disregard of the safety and property rights of others.

(Sec. 15-4.5, R.O. 1978 (1983 Ed.))

Sec. 15-4.5 Persons propelling push-carts or riding animals to obey traffic regulations.

Every person propelling any push-cart or ricksha or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions which by their very nature can have no application. (Sec. 15-4.6, R.O. 1978 (1983 Ed.))

Am. 8/9/01
Ord. 01-48

Sec. 15-4.6 Use of bicycles, skateboards, roller skates and similar devices restricted.

(a) For purposes of this section, "Waikiki" means the Waikiki special district as described in Section 21-7.80-1.

(b) No person upon a skateboard or roller skates, or riding in or by means of any toy vehicle or similar device, shall go upon any roadway, except while crossing a street. When so

crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(c) No person shall ride a bicycle, skateboard or roller skates upon any sidewalk in Waikiki. Subsection (b) notwithstanding, no person may ride a skateboard or roller skates on any roadway in Waikiki.

(d) The director of transportation services shall erect official signs on or adjacent to sidewalks or roadways within Waikiki giving notice of the prohibitions of this section. The absence of such signs shall not be a defense to any prosecution for any violation of this section.

(e) Any person committing a violation of this section shall be punished by a fine of $25.00.

(f) Police officers and any other authorized officers shall issue a citation for any violation of this section, except they may arrest when the alleged violator refuses to cease the illegal activity after being issued a citation. Except as provided herein, the issuance and form of the citation shall be as provided in Section 40-1.3(b).

(Sec. 15-4.7, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 95-15, 96-58)

(Sec. 15-4.7 Operation of vehicles on approach of authorized emergency vehicles. Repealed by Ord. 95-15.)

Sec. 15-4.7 Reserved.

Sec. 15-4.8 Mechanical street sweepers may move in either direction on one-way streets.

(a) In the performance of his or her duties, the driver or operator of any mechanical street sweeper of the division of refuse collection and disposal, department of public works of the City and County of Honolulu, as well as those sweepers being owned and operated by the State of Hawaii, may move such sweeper in either direction on streets and lanes on which only one-way traffic is authorized by Article 10 of this traffic code.

(b) Such mechanical sweeper shall be equipped with a red flashing lamp on the front thereof, for the purpose of warning oncoming traffic of its presence and movement, when it is moving against the authorized direction or flow of traffic on a one-way street or lane. (Sec. 15-4.9, R.O. 1978 (1983 Ed.))

Sec. 15-4.9 Operation of slow-moving vehicles – Restrictions.

(a) No slow-moving vehicle, as defined in this section, shall be operated on that portion of Kalakaua Avenue between the Ala Wai Boulevard and Kapahulu Avenue, on Kuhio Avenue, on Kalia Road, or on Ala Wai Boulevard.

(b) For purposes of this section, the following terms shall have the following definitions:
"Bicycle" means any vehicle propelled solely by human power, upon which any person may ride, having two tandem wheels.
"Slow-moving vehicle" means any device, not propelled by motorized equipment, in, upon or by which any person or property is or may be transported or drawn upon a street or highway, including a device drawn by a horse, but excluding a bicycle.
(Added by Ord. 88-53)

Sec. 15-4.10 Enforcement by special officers.
(a) The chief of police shall commission, in accordance with rules adopted by the chief, special officers designated by the director of the department of transportation services to issue citations for all nonmoving traffic violations, including but not limited to citations for:
(1) Parking and tow zone violations;
(2) Vehicles (as defined in HRS Chapter 286) parked on a public street or highway without a current official certificate of inspection, in violation of HRS Chapter 286; and
(3) Vehicles (as defined in HRS Chapter 249) parked on a public street or highway or in a public off-street parking facility without a current vehicle tax tag or emblem, in violation of HRS Chapter 249.
(b) The special officers shall be authorized to cause the removal of vehicles parked in violation of this chapter in accordance with provisions of Article 13.
(Added by Ord. 88-50; Am. Ord. 95-48)

Article 5. Accident Reports

Sections:

15-5.1 Subsequent reports of accidents.
15-5.2 Accident report forms.
15-5.3 Accident reports confidential.
15-5.4 Police department to tabulate and analyze accident reports.
15-5.5 Copies of reports to be furnished to department of transportation services.

Sec. 15-5.1 Subsequent reports of accidents.
(a) In addition to the report required in HRS Chapter 291C, 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 $300.00 or more shall, within 24 hours after such accident, report such accident in writing or in person to the police department. The provisions of this section shall not be applicable when the

accident has been investigated at the scene by a police officer while such driver was present thereat.

(b) The police department may require any driver of a vehicle involved in an accident of which a 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.

(Sec. 15-5.1, R.O. 1978 (1983 Ed.))

Sec. 15-5.2 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.

(Sec. 15-5.2, R.O. 1978 (1983 Ed.))

Sec. 15-5.3 Accident reports confidential.

All accident reports in writing 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 or her 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 made or claims to have made such 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. (Sec. 15-5.3, R.O. 1978 (1983 Ed.))

Sec. 15-5.4 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. (Sec. 15-5.4, R.O. 1978 (1983 Ed.))

Sec. 15-5.5 Copies of reports to be furnished to department of transportation services.

The chief of police shall furnish true copies of all accident reports within 48 hours from the filing thereof to the department of transportation services. (Sec. 15-5.5, R.O. 1978 (1983 Ed.))

Article 6. Traffic Control Devices

Sections:

15-6.1 Official traffic control devices required – Exception.
15-6.2 Installation of traffic signal lights.
15-6.3 Right or left turns against a red signal.
15-6.4 Warning lights at mid-block crosswalk.
15-6.5 Obstruction of visibility of traffic sign or signal.
15-6.6 Red and green illuminated signs near traffic signals.
15-6.7 Traffic lane markings.

Sec. 15-6.1 Official traffic control devices required – Exception.

Any provision of this traffic code to the contrary notwithstanding, all types of signs, signals and markings, whether in conformity with the standards of the American Association of State Highway Officials or not, installed by the director of transportation services prior to April 11, 1967 and in use on said date, for the purpose of regulating, warning or guiding traffic, are approved and designated as official traffic control devices. (Sec. 15-6.1, R.O. 1978 (1983 Ed.))

Sec. 15-6.2 Installation of traffic signal lights.

(a) The installation and use of traffic signal lights is authorized at the streets and intersections described in Schedule I attached to the ordinance codified in this section and made a part hereof.*

(b) The installation and use of traffic signal lights on federal-aid highways is authorized at the streets and

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

intersections described in Schedule II attached to the ordinance codified in this section and made a part hereof.* (Sec. 15-6.2, R.O. 1978 (1983 Ed.))

Sec. 15-6.3 Right or left turns against a red signal.

Right or left turns against a red signal at the designated intersections described in Schedule III, attached to the ordinance codified in this section and made a part hereof, are prohibited, effective upon the erection of signs indicating such prohibition.* (Sec. 15-6.3, R.O. 1978 (1983 Ed.))

Sec. 15-6.4 Warning lights at mid-block crosswalk.

Whenever distinctive amber colored lamps are placed at mid-block crosswalks, they shall require vehicle drivers to exercise caution when approaching such crosswalk. (Sec. 15-6.4, R.O. 1978 (1983 Ed.))

Sec. 15-6.5 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. (Sec. 15-6.5, R.O. 1978 (1983 Ed.))

Sec. 15-6.6 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 director of transportation services 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 any 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 director of transportation services 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 light.

(Sec. 15-6.6, R.O. 1978 (1983 Ed.))

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

Sec. 15-6.7 Traffic lane markings.

(a) When traffic cones are used by proper authority to establish temporary lines or markings for the purpose of controlling the flow of traffic, such lines or markings shall have the same regulatory effect as single solid or double solid lines and shall not be crossed when such crossings or turns are prohibited.

(b) When a lane is designated a city transit bus lane in Schedule XXXI attached to the ordinance codified in this section and made a part hereof* by the use of pavement markings or signs reading "City Transit Bus Only," traversing, encroaching, parking, stopping, standing, loading or unloading by any vehicle is prohibited; except that:

(1) City transit buses, official government or emergency vehicles on authorized missions involving the performance of duties within or adjacent to the city transit bus lane, authorized tow vehicles, or bicycles may travel in or cross the city transit bus lane; and

(2) Other vehicles may cross a city transit bus lane specifically to enter into and exit from adjacent driveways and/or intersecting streets without obstruction to city transit buses.

Vehicles left unattended within city transit bus lanes shall be towed away as provided in Section 15-13.9.

Any person committing a violation of the foregoing provision shall be subject to a fine of at least $25.00.

(c) When a lane is designated a two-way left turn lane in Schedule XXXII attached to the ordinance codified in this section and made a part hereof* and by the use of pavement markings, a vehicle shall not be driven thereon except when preparing for or making a left turn from or into a highway. A left turn shall not be made from any other lane where two-way left turn lanes have been designated. This section shall not prohibit driving across a two-way left turn lane.

(d) Bicycle Lane.

(1) How Designated or Terminated.

(A) The director of transportation services may designate a bicycle lane on a city highway. The designation shall be made by adding the bicycle lane to Schedule XXXIV, attached to the ordinance codified in this section and made a part hereof.* The director of transportation services also may terminate the designation of a bicycle lane on a city highway. The designation shall be terminated by deleting the bicycle lane from Schedule XXXIV.

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

(B) Procedures for Adding or Deleting Bicycle Lane. Section 15-3.1 shall apply when adding a bicycle lane to or deleting a bicycle lane from Schedule XXXIV. A bicycle lane, after its addition to the schedule, shall take effect in accordance with Section 15-3.1. A bicycle lane, after its deletion from the schedule, shall be deemed terminated when the bicycle lane marking is entirely removed from the city highway.

(C) A bicycle lane on a city highway shall be delineated by a white solid line and the words "Bike Only." The director of transportation services shall mark each bicycle lane and may install other appropriate traffic control devices.

(2) Prohibitions.

(A) Except as otherwise provided under subdivision (3), a person shall not operate, park, stop, or stand a vehicle, other than a bicycle, in a bicycle lane.

(B) A person shall not leave a vehicle, including a bicycle, unattended within a bicycle lane.

(3) Exceptions.

(A) A person may operate, park, stand, or stop any of the following motor vehicles in a bicycle lane:

(i) An authorized emergency vehicle when responding to an emergency;

(ii) An official government vehicle when on an authorized mission involving the performance of a duty within or adjacent to the lane;

(iii) An authorized maintenance vehicle when necessary to perform repair or maintenance work on a government or public utility facility near the lane;

(iv) An authorized tow vehicle when necessary to tow another vehicle parked in or adjacent to the lane; and

(v) A city transit bus when necessary for the boarding or alighting of a passenger at a bus stop.

(B) A person may operate or stop a motor vehicle or moped in a bicycle lane under the following circumstances:

(i) The person may operate the motor vehicle or moped across the lane when necessary to enter or exit a driveway or legal parking space adjacent to the lane;

(ii) The person may operate or stop the motor vehicle or moped across the lane when necessary to turn into or turn from a street intersecting the lane; or

(iii) The person may operate or stop the motor vehicle or moped in the lane when necessary to clear the way for an authorized emergency vehicle as required under HRS Section 291C-65.

(C) A person, when operating, parking, stopping, or standing a motor vehicle or moped in a bicycle lane as permitted under this subdivision, shall do so with due regard for the safety of any bicyclist or pedestrian in the lane. This subdivision shall not protect that person from the person's ordinary negligence or reckless disregard for the safety of a bicyclist or pedestrian in the lane.

(4) Penalty. Any person violating this subsection shall be subject to a fine of at least $25.00.

(e) Express Bus Lane or Express Bus and Car Pool Lane.

(1) How Designated. The director of transportation services may designate an "Express Bus Lane" or an "Express Bus and Car Pool Lane" by the use of pavement markings or signs, or by the inclusion of an express bus lane in Schedule XXXV, or an express bus and car pool lane in Schedule XXXVI, which schedules are attached to the ordinance codified in this section and made a part hereof.*

(2) Prohibition. No person operating a vehicle except those listed hereinafter shall traverse, encroach, park, stop, stand, load or unload any passengers or property from any vehicle in an express bus lane or express bus and car pool lane; provided, that any person operating a prohibited vehicle may cross such lane specifically to enter into and exit from adjacent driveways and/or intersecting streets without obstructing any vehicles using the express bus lane or express bus and car pool lane.

No person shall leave any vehicle unattended within express bus lanes or express bus and car pool lanes and any person with the authority to issue traffic citations may authorize the removal of such unattended vehicle pursuant to the provisions of Section 15-13.9.

(3) Exception. Any person operating the following type or class of vehicles may operate same in an express bus lane or express bus and car pool lane:

(A) Express city transit buses on both lanes;

(B) Authorized emergency vehicles on both lanes;

(C) Official government vehicles on authorized missions involving the performance of duties within or adjacent to both lanes;

(D) Authorized tow vehicles on both lanes;

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

(E) Van-type passenger vehicles sponsored and funded by the federal government and co-sponsored and controlled with external identification by the state department of transportation only in express bus lanes, subject to the limitations under Schedule XXXV;*

(F) Passenger vehicles carrying at least three persons, only in express bus and car pool lanes but not in express bus lanes.

(4) Penalty. Any person violating the provisions of this subsection shall be subject to a fine of at least $25.00.

(Sec. 15-6.7, R.O. 1978 (1983 Ed.); Am. Ord. 90-77, 91-27, 94-78, 95-15, 96-58, 97-02)

Article 7. Speed Restrictions

Sections:

15-7.1 Speed restrictions.
15-7.2 Speed limit zones.
15-7.3 Speed limit signs.
15-7.4 Minimum speed regulations.
15-7.5 Special speed limits on elevated structures.
15-7.6 When speed restrictions not applicable.
15-7.7 Charging violations and rule in civil cases.
15-7.8 Speed of certain vehicles restricted.

Sec. 15-7.1 Speed restrictions.

(a) No person shall drive a vehicle on any roadway within public parks and public school grounds at a speed greater than is reasonable or prudent, having due regard for the traffic on, and the surface and width of the roadway, and in no event at a speed in excess of 25 miles per hour on any roadway within public parks, except Ala Moana Park Drive, Kailua Park Road, on the small by-road in Kapiolani Park which leads off from Paki Street past Waikiki Racquet Club and the Town and Country Stables to Paki Avenue, and on any roadway within public school grounds, where the speed limit shall be 15 miles per hour.

(b) The director of transportation services is authorized and directed to erect and maintain sign posts indicating the speed limit herein established at each roadway entrance into any public park and public school grounds. The department of parks and recreation and the department of education may erect and maintain signs other than traffic control signs at appropriate places along the roadways within their respective jurisdictions.

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

(c) Further, no person shall in any parking area maintained within public parks and public school grounds drive a vehicle recklessly or negligently or at a speed or in such manner as to endanger or injure persons or property.

(d) Whenever the director of transportation services determines upon the basis of an engineering and traffic investigation that any maximum speed limit hereinafter 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 director of transportation services 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.

(Sec. 15-7.1, R.O. 1978 (1983 Ed.))

Sec. 15-7.2 Speed limit zones.

No person shall drive a vehicle on a public highway or street at a speed in excess of the following speed limit zones established or hereafter established therefor by ordinance of the city council.

Am. 3/6/02
Ord. 02-07

(a) Fifteen miles per hour.

(1) Any roadway 18 feet or less within the City and County of Honolulu.

(2) On those streets or portions thereof described in Schedule IV attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(b) Twenty-five miles per hour.

(1) Any street or highway within the City and County of Honolulu where a speed limit has not been otherwise established.

(2) Any roadway bordering any school grounds, during 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.

(3) On those streets or portions thereof described in Schedule V attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(c) Thirty miles per hour. On those streets or portions thereof described in Schedule VI attached hereto and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(d) Thirty-five miles per hour. On those streets or portions thereof described in Schedule VII attached to the ordinance codified in this section and made a part hereof;* subject,

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

however, to the limitations and extensions set forth therein.

(e) Forty-five miles per hour. On those streets or portions thereof described in Schedule VIII attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(f) Fifty miles per hour. On those streets or portions thereof described in Schedule IX attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(g) Sixty-five miles per hour. On those streets or portions thereof described in Schedule X attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(h) Fifty-five miles per hour. On those streets or portions thereof described in Schedule XXXIII attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(i) Ten miles per hour. On those streets or portions thereof described in Schedule XXXVII attached to the ordinance codified in this section and made a part hereof;* subject, however, to the limitations and extensions set forth therein.

(Sec. 15-7.2, R.O. 1978 (1983 Ed.))

Sec. 15-7.3 Speed limit signs.

The speed restrictions set forth in Section 15-7.2 on roadways, streets, highways or boulevards, or portions thereof, shall be ineffective unless legible signs are erected and maintained indicating the maximum speed permissible thereon.

(Sec. 15-7.3, R.O. 1978 (1983 Ed.))

Sec. 15-7.4 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 any other persons authorized to direct, control or regulate traffic, or when reduced speed is necessary for safe operation, or compliance with the law.

(c) Whenever any roadway is clearly marked for two or more lanes of traffic moving in the same direction, no person driving a motor vehicle in the lane or lanes other than the extreme

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

right lane shall travel at a speed which is five miles per hour or more below the maximum stated speed, e.g., below 30 miles per hour in a 35-mile-per-hour speed limit zone or below 40 miles per hour in a 45-mile-per-hour speed limit zone, except when otherwise directed by a police officer or any other persons authorized to direct, control or regulate traffic, or when a reduced speed is necessary for safe operation, or in compliance with the law.

(d) On any street or highway or portions thereof on which parking is prohibited during the hours specified, during the morning peak traffic and/or afternoon peak traffic hours, no person shall drive, move or tow, nor shall a registered owner knowingly cause or permit any person to drive, move or tow, during said hours on such street or highway or portions thereof, any vehicle which cannot maintain a speed equal to the maximum stated speed, less five miles per hour, for such street or highway or portions thereof; provided, that the foregoing provisions shall have no force and effect on public holidays as defined in Section 15-2.19.

(Sec. 15-7.4, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Sec. 15-7.5 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 traffic code.

(b) The director of transportation services, upon the director's own initiative, may conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if the director thereupon finds that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this traffic code, the director of transportation services 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.

(Sec. 15-7.5, R.O. 1978 (1983 Ed.))

Sec. 15-7.6 When speed restrictions not applicable.

The speed restrictions set forth in this traffic code 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 or blue 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 such driver's reckless disregard of the safety of others.
(Sec. 15-7.6, R.O. 1978 (1983 Ed.))

Sec. 15-7.7 Charging violations and rule in civil cases.

(a) In every charge of violation of any speed regulation in this traffic code 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.

(Sec. 15-7.7, R.O. 1978 (1983 Ed.))

Sec. 15-7.8 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 10 miles per hour.

(b) No vehicle transporting any explosives as a cargo or part of a cargo shall be operated upon any highway at a speed greater than that designated on the permit issued by the state director of labor and industrial relations or as indicated by the prevailing speed limit on that particular road; and these vehicles shall be routed over the freeway system only when they are permitted to travel at least at the minimum speed limit for the area.

(Sec. 15-7.8, R.O. 1978 (1983 Ed.))

Article 8. Starting, Stopping and Turning—Signals

Sections:

15-8.1 Required position and method of turning at intersections.
15-8.2 Procedure at channelized intersections.
15-8.3 Obedience to no-turn signs.
15-8.4 Limitations on U-turns.
15-8.5 No left turns into and out of driveways.
15-8.6 Cutting corners.

Sec. 15-8.1 Required position and method of turning at intersections.

(a) Left Turns on Other than Two-Way Roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle

intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection as nearly as practicable in the left-hand lane lawfully available to traffic moving in the direction of travel upon the roadway being entered.

(b) Left Turns Where Both Streets or Roadways are One-Way. 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, except as otherwise permitted by pavement markings or other official traffic control devices.

(c) 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.

(Sec. 15-8.1, R.O. 1978 (1983 Ed.))

Sec. 15-8.2 Procedure at channelized intersections.

Where accelerating and decelerating lanes are provided for right or left turns at 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, unless otherwise instructed.

(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, unless otherwise instructed.

(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 medial strip area and shall merge with caution into the left-hand lane of the far roadway, unless otherwise instructed; provided, where no accelerating lane exits, such left turn shall be made into the left-hand lane of the far roadway.

(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 medial strip area, shall enter the decelerating lane and shall yield the right-of-way to approaching vehicles before proceeding with caution across the intersection and into the intersecting roadway, unless otherwise instructed; provided, where no decelerating lane

exists, such left turn shall be made with caution from the lane nearest the medial strip.
(Sec. 15-8.2, R.O. 1978 (1983 Ed.))

Sec. 15-8.3 Obedience to no-turn signs.

(a) 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, unless otherwise instructed by a police officer or any other persons authorized to direct, control or regulate the flow of traffic as provided in this code.

(b) The turning movements described in Schedule XI attached to the ordinance codified in this section and made a part hereof are prohibited.*

(Sec. 15-8.3, R.O. 1978 (1983 Ed.))

Sec. 15-8.4 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 highway with three or more lanes, or at any intersection where traffic is controlled by traffic signal lights, except as otherwise permitted by official signs and markings. (Sec. 15-8.4, R.O. 1978 (1983 Ed.))

Sec. 15-8.5 No left turns into and out of driveways.

The director of transportation of the State of Hawaii, in the case of state or federal-aid highways, and the director of transportation services of the City and County of Honolulu, in the case of city and county highways, are authorized by the use of signs, markings or other traffic control devices to establish and indicate no left turns into and out of driveways on any portion of a highway where such movements will create hazards or impede the smooth flow of traffic when left turns are banned at intersections. This provision shall not be enforced unless official signs, markings or other traffic control devices are placed or erected. (Sec. 15-8.5, R.O. 1978 (1983 Ed.))

Sec. 15-8.6 Cutting corners.

No person shall operate or drive any vehicle on or across any sidewalk area or through any driveway, parking lot or any business entrance for the purpose of making right or left turns from one street into another by avoiding intersections or as a means of traveling from one street to another; provided, however, that this section shall not prohibit the use of such driveway, parking lot or business entrance for such purposes when such use is incidental to business to be transacted on the premises.
(Sec. 15-8.6, R.O. 1978 (1983 Ed.))

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

Article 9. Driving in No-Passing Zones and Divided Highways

Sections:

15-9.1 No-passing zones.
15-9.2 Divided highways.

Sec. 15-9.1 No-passing zones.

The director of transportation of the State of Hawaii, in the case of state or federal-aid highways, and the director of transportation services of the City and County of Honolulu, in the case of city and county highways, are authorized by the use of signs, markings, or other traffic control devices to establish and indicate a "no-passing zone" on any portion of a highway where the overtaking and passing of another vehicle or the driving to the left of the center line of the roadway would be hazardous. Such signs, markings or other traffic control devices shall clearly indicate the beginning and ending of each "no-passing zone." It is unlawful for any person to overtake and pass another vehicle or to drive to the left of the center line of the roadway within any "no-passing zone" established and indicated as hereinabove provided. (Sec. 15-9.1, R.O. 1978 (1983 Ed.))

Sec. 15-9.2 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 yield the right-of-way to approaching vehicles before emerging upon the adjacent roadway of such divided highway, unless otherwise instructed. (Sec. 15-9.2, R.O. 1978 (1983 Ed.))

Article 10. One-Way Streets

Sections:

15-10.1 One-way streets.

Sec. 15-10.1 One-way streets.

(a) Vehicular traffic, on any street or highway or portions thereof designated by the city council by ordinance as a one-way street, shall move only in the direction indicated by signs erected and maintained thereon.

(b) The streets, highways or portions thereof described in Schedule XII attached to the ordinance codified in this

section and made a part hereof are designated one-way streets.*

(Sec. 15-10.1, R.O. 1978 (1983 Ed.))

Article 11. Right-of-Way

Sections:

(15-11.1 Vehicles approaching or entering intersections. Repealed by Ord. 95-15.)
15-11.1 Reserved.
15-11.2 Vehicles to yield right-of-way.
15-11.3 Designation of additional stop intersections.

(Sec. 15-11.1 Vehicles approaching or entering intersections. Repealed by Ord. 95-15.)

Sec. 15-11.1 Reserved.

Sec. 15-11.2 Vehicles to yield right-of-way.

(a) Whenever any person driving a vehicle approaches an intersection with a "Yield Right-of-Way" sign facing such driver, he or she shall yield the right-of-way to any pedestrian within a marked or unmarked crosswalk at such intersection, or to any vehicle which is within such intersection or approaching so closely thereto as to constitute an immediate hazard.

(b) The driver of a vehicle intending to turn right or left across a bicycle lane shall yield the right-of-way to any bicycle which is approaching so closely thereto as to constitute an immediate hazard.

(c) "Yield Right-of-Way" intersections in addition to those already heretofore established are established as described in Schedule XIII attached to the ordinance codified in this section and made a part hereof.*

(Sec. 15-11.2, R.O. 1978 (1983 Ed.))

Sec. 15-11.3 Designation of additional stop intersections.

Stop intersections in addition to those already heretofore established are established as described in Schedule XIV attached to the ordinance codified in this section and made a part hereof.* (Sec. 15-11.3, R.O. 1978 (1983 Ed.))

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

Article 12. Special Stops

Sections:

15-12.1 Through street designated.
15-12.2 Stop when traffic obstructed.
15-12.3 Duties of operators of locomotives, cane cars or other vehicles used in agricultural or industrial work.

Sec. 15-12.1 Through street designated.

A through street shall be any street or highway as heretofore defined, or portion thereof, so designated by the council of the City and County of Honolulu. Through streets in addition to those already heretofore established are established as described in Schedule XV attached to the ordinance codified in this section and made a part hereof.* (Sec. 15-12.1, R.O. 1978 (1983 Ed.))

Sec. 15-12.2 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 such person is driving without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (Sec. 15-12.2, R.O. 1978 (1983 Ed.))

Sec. 15-12.3 Duties of operators of locomotives, cane cars or other vehicles used in agricultural or industrial work.

(a) 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 such highway as to constitute an immediate hazard, but having so yielded may proceed; provided, however, that a flagger shall have first stationed himself or herself 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 such flag, a red light or lantern shall be so displayed as to be plainly visible for a distance of

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

500 feet from both sides of the tracks, crossing or road intersection.

(b) The foregoing provisions respecting a flagger with a red flag or a red light shall be deemed fully complied with if there is installed and maintained in good working condition an automatic electrically operated flashing light and bell warning device of a type regularly used as a railway crossing warning signal, placed in a conspicuous spot close to the railway crossing, sounding a bell and displaying a flashing red light plainly visible for a distance of 500 feet from both sides of the tracks, crossing or intersection.

(Sec. 15-12.3, R.O. 1978 (1983 Ed.))

Article 13. Stopping, Standing and Parking

Sections:

15-13.1 Stopping, standing or parking outside of business or residence district.
15-13.2 Officers authorized to remove illegally stopped vehicle.
15-13.3 Parking stalls--Required parking therein.
15-13.4 Reserved parking stalls.
15-13.5 Standing or parking close to curb.
15-13.6 Selling on highways restricted.
15-13.7 Unattended postal service motor vehicles.
15-13.8 Abandoned vehicles on highway.
15-13.9 Authority to store vehicles.
15-13.10 Authority to dispose of unclaimed vehicles.
15-13.11 Motorcycles, motorscooters and mopeds.
15-13.12 Parking on parade routes and on any special occasion.

Sec. 15-13.1 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 the disabled vehicle in such position.
(Sec. 15-13.1, R.O. 1978 (1983 Ed.))

Sec. 15-13.2 Officers authorized to remove illegally stopped vehicle.

(a) Whenever any police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions, such officer is authorized to move the 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 the vehicle constitutes an obstruction to traffic, such officer is authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.
(c) The expense incurred in the removal of such vehicle shall be borne by the owner of the vehicle.
(Sec. 15-13.2, R.O. 1978 (1983 Ed.))

Sec. 15-13.3 Parking stalls--Required parking therein.

(a) The director of transportation services is 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.
(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.
(c) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off and designated along any street block, it is unlawful for the driver of any vehicle to park such vehicle on any portion of such street block, other than in a stall or space so established, marked off and designated for parking along such street block.
(d) Except as otherwise permitted by Section 15-13.11, wherever parking stalls are so established, marked off and designated, each stall shall be for the use of a single vehicle only and it is unlawful for the driver of any vehicle to park such vehicle in a stall already occupied by another vehicle.
(e) The term "street block" as used in this section shall mean one side of any street, the length of such side extending between two consecutive intersections; or, in the case of a dead-end street, one side of such dead-end street, the length of such side extending between the dead-end and the nearest intersection.
(Sec. 15-13.3, R.O. 1978 (1983 Ed.))

Sec. 15-13.4 Reserved parking stalls.

(a) Any parking stall established as a "road taxi stand" or as a "road pedicab stand" as described in Article 1, Chapter 12, ROH 1990, as amended, or as a reserved parking stall shall be used only for the purpose or purposes for which the same shall be established. All such officially established reserved parking stalls are authorized on those streets or portions thereof described in Schedule XVI attached to the ordinance codified in this section and made a part hereof.*

(b) Whenever road taxi stands or road pedicab stands are established, the following restrictions shall apply:

(1) No person shall stop, stand or park a taxicab in any officially designated road taxi stand or pedicab in any officially designated road pedicab stand unless such taxicab or pedicab shall display on the right front bumper of the taxicab or rear of the pedicab a valid decal issued by the licensing division of the department of finance.

(2) No person shall stop, stand or park a vehicle, other than a taxicab, in a road taxi stand or a pedicab in a road pedicab stand which has been officially designated and appropriately signed as such.

(3) When official signs are erected designating a street or portions thereof as a road taxi stand or a road pedicab stand within a tow or tow-away zone, no person shall stop, stand or park a taxicab or a pedicab, as applicable, even momentarily, between the hours indicated on such signs.

(4) No taxicab or pedicab shall be left unattended in any road taxi stand or road pedicab stand, respectively.

(Sec. 15-13.4, R.O. 1978 (1983 Ed.))

Sec. 15-13.5 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 12 inches of the edge of the roadway, except while parked wholly within stalls marked or designated pursuant to Section 15-13.3 of this traffic code. (Sec. 15-13.5, R.O. 1978 (1983 Ed.))

Sec. 15-13.6 Selling on highways restricted.

(a) It is unlawful for any itinerant vendor, peddler or huckster to carry on or solicit business in one location on any street or on any public highway for a period of more than 15 minutes. Upon vacating one location, it is unlawful for such itinerant vendor, peddler or huckster to take up another location to carry on or solicit business within

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

300 feet of such location or of any location previously vacated within three hours.

(b) It is required that every itinerant vendor, peddler or huckster provide a trash receptacle at every location where business is conducted; further, that prior to leaving any location of business, the immediate vicinity be free of litter caused by the selling of the goods.

(c) Any person violating this section shall be guilty of a petty misdemeanor. If any itinerant vendor, peddler or huckster licensed under Section 29-6.1 is convicted of violating this section and the conviction is within two years of a prior conviction for violating this section, in addition to the penalties provided by law for a petty misdemeanor, the licensee shall have the license suspended for a period of not less than three months and not more than two years.

(Sec. 15-13.6, R.O. 1978 (1983 Ed.); Am. Ord. 88-19, 90-77, 95-15)

Sec. 15-13.7 Unattended postal service motor vehicles.

Any employee of the United States Postal Service, while actually engaged in depositing mail in mail boxes placed along a street or highway as defined in the traffic code, or while engaged in delivering and collecting mail therefrom, may permit his or her motor vehicle to stand unattended with the motor running; provided, that such postal employee shall first effectively set the brakes thereon; and provided further, that when the motor vehicle is left standing unattended upon any grade the front wheels shall be turned to the curb or side of the highway. This section shall have no application where such employee leaves the highway for any purpose. (Sec. 15-13.8, R.O. 1978 (1983 Ed.))

Sec. 15-13.8 Abandoned vehicles on highway.

(a) No person shall abandon any vehicle on the public highway. The chief of police or director of finance is 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.

(b) Whoever violates any provision of this section shall be subject to a fine as provided for under HRS Section 290-45.

(Sec. 15-13.9, R.O. 1978 (1983 Ed.); Am. Ord. 89-94)

Sec. 15-13.9 Authority to store vehicles. Am. 9/26/01 Ord. 01-49

(a) Members of the police department and department of finance are authorized to remove or cause to be removed a vehicle from a street, highway or pedestrian mall to a storage area 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 request the removal of the vehicle or 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;

(4) When any vehicle is left unattended or parked in tow or tow-away zones during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays and public holidays, on the streets or portions thereof described in Schedule XVII attached to the ordinance codified in this section and made a part hereof;*

(5) When any vehicle is left unattended or parked in tow or tow-away zones during the time of restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays and public holidays, on the streets or portions thereof described in Schedule XVIII attached to the ordinance codified in this section and made a part hereof;*

(6) When any vehicle is left unattended or parked in tow or tow-away zones during the time of restricted parking during the morning and/or afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays and public holidays, on the streets or portions thereof described in Schedule XIX attached to the ordinance codified in this section and made a part hereof;*

(7) When any vehicle is left unattended or parked in tow or tow-away zones at all hours of any day on the streets or portions thereof described in Schedule XX attached to the ordinance codified in this section and made a part hereof;*

(8) When any vehicle is left unattended or parked in tow zones during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XXI attached to the ordinance codified in this section and made a part hereof;*

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

(9) When any vehicle is left unattended upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using such driveway for purposes of egress or ingress;

(10) When any vehicle is left unattended and parked on a street or portion thereof so as to interfere with or impede construction, demolition, repairs and maintenance work being made thereon, adjacent to, above or below the street, provided a permit has been issued by the director of transportation services, and adequate regulatory signs are posted designating the time of the prohibition;

(11) When any vehicle is left unattended upon any street within 10 feet of a fire hydrant;

(12) When any vehicle is left unattended upon any street within four feet of either side of a public or private driveway;

(13) When any vehicle is left unattended or parked in a crosswalk, or within 20 feet of a crosswalk at an intersection, or within 20 feet upon the approach to any mid-block crosswalk;

(14) When any vehicle is left unattended at any time on the roadway portion of any freeway; or when any vehicle, excepting highway maintenance or construction equipment, is left unattended on the median, shoulder or any other portion, other than the roadway portion, of any freeway for more than four hours;

(15) When any bus, truck, truck-trailer, trailer, van, house trailer or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of the public utilities and construction equipment while engaged in repair or construction work, or vehicles actually loading or unloading goods, wares or merchandise, is parked on any public street for more than four hours;

(16) When any vehicle is left unattended in a transit or an express bus lane;

(17) When any vehicle is left unattended upon any bicycle lane or bicycle path;

(18) When any vehicle is in violation of the pedestrian mall provisions;

(19) When any vehicle is left unattended or parked in an official bus stop as described in Schedule XXV attached to the ordinance codified in this section and made a part hereof.*

(b) Whenever an officer or employee of the department of finance removes or causes to be removed a vehicle from a street as authorized herein and the officer or employee knows or is able to ascertain from the registration records in the

*Editor's Note: See the listing of schedules at the beginning of this chapter.

vehicle the name and address of the owner thereof, such officer or employee shall immediately give or cause to be given notice to the police department dispatch office the fact of such removal and the reasons therefor, and of the place to which such vehicle has been moved.

(c) Whenever an officer or employee of the department of finance removes or causes to be removed a vehicle from a street and does not know and is not able to ascertain the name of the owner as hereinbefore provided and in the event the vehicle is not returned to the owner within a period of three days, then and in that event, the officer or employee shall immediately send or cause to be sent a written report of such removal by mail to the city and county director of finance 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 the 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.

(Sec. 15-13.10, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 88-34, 90-12, 93-51)

Sec. 15-13.10 Authority to dispose of unclaimed vehicles.

(a) The director of finance is authorized and empowered to dispose of vehicles which have been taken into custody by the chief of police or director of finance or their authorized subordinates as prescribed in Section 15-13.9 of this chapter. Such vehicle may be disposed of in accordance with HRS Section 290-10.

(b) In the event that no bid is received, the director of finance shall offer such vehicle to the division of automotive equipment services of the city and county for its use or for salvage; and in the event said division rejects such offer, the director of finance shall dispose of such vehicle at the expense of the city and county.

(Sec. 15-13.11, R.O. 1978 (1983 Ed.); Am. Ord. 88-35)

Sec. 15-13.11 Motorcycles, motorscooters and mopeds.

(a) The following shall apply to on-street parking of motorcycles, motorscooters, and mopeds in spaces marked for parallel parking on street blocks where there are no designated parking spaces for motorcycles, motorscooters, and mopeds as provided for in subsection (b) of this section:

(1) More than one motorcycle, motorscooter, or moped, or a combination of such motorcycle, motorscooters, or mopeds shall be permitted to park in spaces marked for parallel parking.

(2) Regardless of the number of motorcycles, motorscooters, or mopeds parked within a metered parking space, the

parking fee shall be the rate established for such parking space.

(3) Any motorcycle, motorscooter, or moped parked within any space marked for parallel parking, shall be parked diagonally (at an angle of approximately 60 degrees to the curb line) with the front end facing the street and in the direction which the vehicles in the near lane of traffic are traveling.

(4) A minimum clearance of three feet at each end of the parallel parking space shall be maintained; provided that only the vehicle parked within the three-foot area shall be deemed to be in violation of the minimum clearance requirement.

(5) No person shall prevent the parking of additional motorcycles, motorscooters, or mopeds when space is available within any parallel parking space.

(6) Any motorcycle, motorscooter, or moped parked within any parallel parking space shall be entitled to the full parking time permitted by law; provided that in any metered space each and every vehicle parked within such space shall be deemed to be parked illegally, if the meter displays a violation.

(b) Nothing herein shall prohibit the director of the department of transportation services from establishing, marking and designating parking stalls specifically for the parking of motorcycles, motorscooters, and mopeds upon any street.

(1) Wherever parking stalls for motorcycles, motorscooters, and mopeds are so established, marked off, and designated, the driver of such vehicle shall park the vehicle completely within a designated stall.

(2) If on-street parking stalls or spaces are established, marked off and designated for motorcycles, motorscooters, and mopeds along any street block, it shall be unlawful for the driver of any motorcycle, motorscooter, or moped to park such vehicle on any portion of such street block, other than in a stall or space so established, marked off and designated for parking motorcycles, motorscooters, and mopeds along such street block.

(3) Wherever parking stalls for motorcycles, motorscooters, and mopeds are so established, marked off and designated, it shall be unlawful for the driver of any other vehicle to park in a stall designated for motorcycles, motorscooters, or mopeds.

(4) The term "street block" as used in this section shall mean one side of any street, the length of such side extending between two consecutive intersections; or, in the case of a dead-end street, one side of such dead-end street, the length of such side extending between the dead-end and the nearest intersection.

(Sec. 15-13.12, R.O. 1978 (1983 Ed.); Am. Ord. 90-76)

Sec. 15-13.12 Parking on parade routes and on any special occasion.

The director of transportation services is authorized, whenever in his or her judgment the director deems it necessary, to prohibit or restrict the parking of any vehicle on either or both sides of any street or portion thereof constituting a part of the route of a parade or a procession, or on any special occasion, and also upon any street adjacent thereto, by the erection or placement of temporary signs setting forth such restrictions. When such signs are erected or placed prior to the parade, procession or special occasion, it is unlawful to park or leave unattended any vehicle in violation of such signs.

The chief of police is authorized to remove or cause to be removed, at the owner's expense, any vehicle left unattended or parked in violation of such signs. (Sec. 15-13.13, R.O. 1978 (1983 Ed.))

Am. 3/29/01 Ord. 01-05 Sec. 15-13.___ Parking placards < Am. 11/1/01 Ord. 01-56

Article 14. Stopping, Standing or Parking Prohibited in Specified Places

Sections:

15-14.1 **Stopping, standing or parking prohibited in specified places– No signs required.**
15-14.2 **Obstruction to sidewalk prohibited.**
15-14.3 **Parking not to obstruct traffic.**
15-14.4 **Railroad trains not to block street.**
15-14.5 **Prohibited parking within the City and County of Honolulu.**
15-14.6 **Parking prohibited during certain hours within the City and County of Honolulu.**
15-14.7 **Parking for certain purposes prohibited.**
15-14.8 **Parking prohibited in tow or tow-away zones.**
(15.14.9 **Curb markings prohibiting stopping, standing or parking of vehicles shall be designated in red. Repealed by Ord. 97-05.)**

Am. 9/26/01 Ord. 01-49

Sec. 15-14.1 Stopping, standing or parking prohibited in specified places– No signs required.

(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) In front of a public or private driveway or within four feet of either side of a public or private driveway;

(3) Within an intersection, along the edges or curbsides around corners and in channelized areas of any two intersecting streets;

(4) Within 10 feet of a fire hydrant;

(5) On a crosswalk;
(6) Within 20 feet of a crosswalk at an intersection or within 20 feet upon the approach to any midblock crosswalk;
(7) Within 30 feet upon the approach to any flashing beacon or stop sign located at the side of a roadway;
(8) Within 75 feet upon the approach to any traffic control signal;
(9) On the far side of the street at any signalized intersection within 30 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 30 feet of points on the curb immediately opposite the ends of a safety zone, unless there is a different length indicated by signs or markings;
(11) Within 50 feet of the nearest rail of a railroad crossing;
(12) In front of a driveway entrance to any fire station or within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance when proper signs give notice of such restriction;
(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 or curb of a roadway;
(15) Upon or beneath any bridge or other elevated structure upon a highway or within a highway tunnel, except that widened portion of Tenth Avenue under the Lunalilo Freeway overpass;
(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 where the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers;
(18) On either side of any street with a roadway width of 18 feet or less, when official signs are erected giving notice thereof;
(19) On the medial strip of any divided highway;
(20) On a traffic island;
(21) On all connecting ramps of Pali Highway;
(22) Within the limits of Lunalilo Freeway, including all ramps;

(23) On all ramps, loops and collector roads on Moanalua Road located between the Moanalua Bridge to its intersection with King Street;
(24) On Kalihi overpass, ramps and connecting roads;
(25) In Wilson Tunnel;
(26) On Likelike Highway; and
(27) Within the turnaround area of any dead-end street.

(b) Notwithstanding anything to the contrary in subdivisions (3), (5), and (6) of subsection (a), the director is authorized to allow parking on the mauka side of Ala Wai Boulevard at the intersections of Ala Wai Boulevard with Kuamoo Street, Namahana Street, Olohana Street, Launiu Street, Kaiolu Street, Nohonani Street, Nahua Street, Walina Street, Kaiulani Avenue, Ohua Avenue, Wai Nani Way, and Ainakea Way; provided that the director determines that parking at these intersections in accordance with this subsection will not be dangerous or interfere unduly with the free movement of traffic; and provided further that, at intersections where the director determines that parking should be allowed in accordance with this subsection, the director shall install official traffic control devices prohibiting pedestrians from entering unmarked crosswalks traversing Ala Wai Boulevard at these intersections.

(c) No person shall move a vehicle not lawfully under such person's control onto any such prohibited area or away from a curb to such a distance as is unlawful.

(d) No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the completed section of the new federal-aid highway (unofficially called Nuuanu Highway) from Nuuanu Pali Drive (near Reservoir No. 4) to Kamehameha Highway (at the hairpin turn), except in areas set aside for emergency parking and so designated by authorized signs.

(Sec. 15-14.1, R.O. 1978 (1983 Ed.); Am. Ord. 95-42, 97-05)

Sec. 15-14.2 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. (Sec. 15-14.2, R.O. 1978 (1983 Ed.))

Sec. 15-14.3 Parking not to obstruct traffic.

No person shall park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the street or alley for the free movement of vehicular traffic. (Sec. 15-14.3, R.O. 1978 (1983 Ed.))

Sec. 15-14.4 Railroad trains not to block street.

(a) It is 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 is unlawful to stop any railroad train within an intersection for the purpose of receiving or discharging passengers or freight.

(b) It is unlawful for the directing officer or the operator of any railroad train to direct the operation or to operate the same on, over or across that certain portion of Waiakamilo Road, situated between Dillingham Boulevard and Nimitz Highway, and that certain portion of Nimitz Highway extending from the railroad depot at Iwilei Road to Waiakamilo Road, during the period from six-thirty a.m. to eight a.m. and from three-thirty p.m. to five-thirty p.m. on any day, except on Saturdays and public holidays.

(Sec. 15-14.4, R.O. 1978 (1983 Ed.))

Sec. 15-14.5 Prohibited parking within the City and County of Honolulu.

(a) When official signs are erected giving notice of the prohibition against parking, 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 described in Schedule XXII attached to the ordinance codified in this section and made a part hereof.* Provided, however, that when requested for noncommercial or nonbusiness purposes only, the director of transportation services may suspend for a period of not more than one week any parking prohibition herein enacted pursuant to the provisions of Article 3 of this chapter.

(b) No vehicle shall stop, stand or park upon any of the streets or portions thereof described in Schedule XXIII attached to the ordinance codified in this section and made a part hereof* for any reason when official signs prohibiting stopping, standing, loading or unloading thereon are erected. Provided, however, that when requested for noncommercial or nonbusiness purposes only, the director of transportation services may suspend for a period of not more than one week any parking prohibition herein enacted pursuant to the provisions of Article 3 of this chapter.

(Sec. 15-14.5, R.O. 1978 (1983 Ed.))

Sec. 15-14.6 Parking prohibited during certain hours within the City and County of Honolulu.

(a) 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

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

within the City and County of Honolulu, between the hours indicated on such signs. Provided, however, that when requested for noncommercial or nonbusiness purposes only, the director of transportation services may suspend for a period of not more than one week any parking prohibition herein enacted pursuant to the provisions of Article 3 of this chapter.

(b) When official signs are erected specifying the hours of restricted parking during the morning peak traffic and/or afternoon peak traffic hours, no person shall stop, stand or park a vehicle, even momentarily, upon any of the streets or portions thereof between the hours indicated on such signs. Provided, however, that when requested for noncommercial or nonbusiness purposes only, the director of transportation services may suspend for a period of not more than one week any parking prohibition herein enacted pursuant to the provisions of Article 3 of this chapter.

(Sec. 15-14.6, R.O. 1978 (1983 Ed.))

Sec. 15-14.7 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; or

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

(Sec. 15-14.7, R.O. 1978 (1983 Ed.))

Sec. 15-14.8 Parking prohibited in tow or tow-away zones.

(a) When official signs are erected designating a street or portions thereof as a tow or tow-away zone, no person shall stop, stand or park a vehicle, even momentarily, between the hours indicated on such signs; provided, that:

(1) During hours other than the morning and afternoon peak traffic hours as defined in this code:

(A) Stops may be made by a vehicle displaying a valid decal pursuant to the provisions of Section 15-15.5 for the expeditious loading or unloading of freight,

(B) Stops may be made by a bus in an official bus stop for the expeditious loading or unloading of passengers, and

(C) Stops, in other than an official bus stop, may be made by a special transit service vehicle for the expeditious loading or unloading of a mobility handicapped passenger; and

(2) At any time, the following may stop, stand or park in an official bus stop for the expeditious loading or unloading of passengers:

(A) A bus franchised by the public utilities commission to render regularly scheduled bus

service on routes specified by the public utilities commission and operating as such,

(B) A city transit bus, and

(C) A bus when operated for the transportation of children to or from school.

(b) In no case shall the stop for the loading or unloading of freight exceed 30 minutes, and for the loading or unloading of passengers, three minutes; except that a special transit vehicle may stop, stand or park for not more than 15 minutes when loading or unloading a mobility handicapped passenger.

(c) When requested for noncommercial or nonbusiness purposes only, the director of transportation services may suspend for a period of not more than one week any parking prohibition herein enacted pursuant to the provisions of Article 3 of this chapter.

(d) Nothing in this section shall permit the parking of any bus, other than a city transit bus, in an officially designated bus stop in the Waikiki special district, as defined in Section 21-7.80-1.

(Sec. 15-14.8, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-58, 91-27, 96-58)

(Sec. 15-14.9 Curb markings prohibiting stopping, standing or parking of vehicles shall be designated in red. Repealed by Ord. 97-05.)

Article 15. Stopping for Loading or Unloading Only

Sections:

15-15.1 Standing in loading zones for loading or unloading only.

15-15.2 Boarding or alighting from vehicle--Use of vehicle doors.

15-15.3 Buses not permitted to stand or park except in officially designated bus stops.

15-15.4 Other vehicles not to be parked, stopped or permitted to stand in bus stops.

15-15.5 Permits to park in loading zones and official bus stops.

15-15.6 Credit of annual fees.

Sec. 15-15.1 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 curb loading zones are effective, and then only for a period not to exceed three minutes; except that a special transit service vehicle

may stop, stand or park for a period not exceeding 15 minutes when loading or unloading a passenger who is ADA paratransit eligible under Section 13-4.2.

(b) No person shall stop, stand or park a vehicle for any purpose or any length of time in any space marked as a freight curb loading zone during the posted times; provided, that:

(1) A vehicle displaying a valid decal issued by the licensing division of the department of finance on its front right bumper or, in the case of vehicles not required to have front bumpers, on the windshield or on some other authorized place designated by the licensing division of the department of finance pursuant to Section 15-15.5, may be stopped or parked within such space while freight is being loaded upon or is being unloaded from such vehicle. In no case shall such standing, stopping or parking for loading and unloading of freight exceed 30 minutes or be permitted during the restricted peak traffic hours in tow or tow-away zones as provided in Section 15-14.8.

(2) A taxicab licensed under Section 12-1.15 may stop, stand or park in a freight curb loading zone for the purpose of active loading and unloading of passengers or their personal property so long as the taxicab is not stopped, standing or parked for a period longer than 30 seconds.

(3) An armored vehicle may stop, stand or park in a freight curb loading zone for the purpose of active loading and unloading of money, securities, negotiable instruments and other valuables and documents, so long as the armored vehicle is not stopped, standing or parked for a period longer than 10 minutes.

(4) A special transit service vehicle may stop, stand or park in a freight curb loading zone for the purpose of loading or unloading a passenger who is ADA paratransit eligible under Section 13-4.2. In no case shall the special transit service vehicle stand, stop or park:

(A) For a period exceeding 15 minutes; or

(B) In a tow or tow-away zone during the restricted peak traffic hours as is prohibited under Section 15-14.8.

The chief of police is authorized to remove or cause to be removed, at the owner's expense, any vehicle parked, stopped or standing in violation of this subsection. The removal of a vehicle for such violation shall be in accordance with the provisions of Section 15-13.9.

(c) Whenever any curb markings are to be used to designate freight curb loading zones, such markings shall be yellow in color. Whenever any curb markings are to be used to designate passenger curb loading zones, including bus stops, such markings shall be red in color. Whenever any curb

markings are to be used to designate combination freight and passenger curb loading zones, such markings shall be alternatively colored yellow and red, and signs shall be erected stating the specific days and times when each type of loading zone is in effect.

(d) The establishment, relocation or abolishing of curb loading zones in the manner provided by law is authorized at the locations described in Schedule XXIV referenced in Table 15.0 of this chapter.

(Sec. 15-15.1, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-58, 89-78, 90-77, 96-58, 97-05)

Sec. 15-15.2 Boarding or alighting from vehicle--Use of vehicle doors.

No person shall board or alight from any vehicle while such vehicle is in motion, and no person shall open the door of a motor vehicle on the side toward moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door of a vehicle open on the side toward moving traffic for a period of time longer than necessary to load or unload passengers.

(Sec. 15-15.2, R.O. 1978 (1983 Ed.))

Sec. 15-15.3 Buses not permitted to stand or park except in officially designated bus stops.

(a) The driver of a bus shall not stop, stand or park such bus upon any street at any place within any business district other than at an officially designated bus stop, nor for any purpose or period of time other than when actually engaged in the discharge of passengers or the pickup of passengers then in readiness at the curb. The stopping, standing or parking of such bus shall not extend beyond the time necessary therefor and in no event for more than three minutes.

(b) The chief of police may permit and direct the parking of buses at places other than officially designated bus stops when large assemblages of people create an unusually heavy demand for mass transportation facilities.

(c) No person shall stop, stand or park a bus used for charter or tour service in any officially designated bus stop unless such bus displays on the right front bumper a valid decal issued by the licensing division of the department of finance pursuant to the provisions of Section 15-15.5.

(d) The locations of designated official bus stops are described in Schedule XXV attached to the ordinance codified in this section and made a part hereof.* The designations shall be made by the department of transportation services.

(e) Nothing in this section shall permit the parking of any bus, other than a city transit bus, in an officially designated

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

bus stop in the Waikiki district, as defined in Section 21-7.80-1 of the land use ordinance.

(Sec. 15-15.3, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 91-27, 97-02)

Sec. 15-15.4 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 authorized under Section 15-15.3, in a bus stop which has been officially designated and appropriately signed as such.

(Sec. 15-15.4, R.O. 1978 (1983 Ed.); Am. Ord. 91-27)

Sec. 15-15.5 Permits to park in loading zones and official bus stops.

(a) The licensing division of the department of finance is authorized to issue, upon application therefor on forms furnished by the department and upon the payment of annual fees as hereinafter provided, permits for the parking of trucks as described in HRS Section 249-1, as amended, in freight curb loading zones when freight is being loaded upon or is being unloaded from such vehicles, and permits for the parking of tour buses, as defined in HRS Section 286-2, as amended, in officially designated bus stops when passengers are being loaded upon or being unloaded from such vehicles.

(b) A permit, deemed granted upon approval of the application, shall expire on December 31st of the year in which it is issued. However, an application for renewal of such permit for the following year may be made on and after the first day of December and approval thereof may be granted upon the payment of the permit fee. The permit shall be evidenced by an appropriate decal which shall be placed on the front right bumper, or on a place to be designated by the licensing division in the case of vehicles not required to have front bumpers.

(c) The licensing division of the department of finance shall charge and collect an annual fee of $24.00 for each permit, and a fee of one dollar for each decal, for a total charge of $25.00; provided, that where the application for such permit is made in any month other than January, the permit fee of $24.00 shall be reduced by two dollars for each full month of the then calendar year which has elapsed at time of the application; and provided further, that where a decal is mutilated, defaced or lost, a replacement decal shall be issued upon payment of one dollar. The sums collected shall be deposited in the highway fund.

(d) Permits issued pursuant to this section shall not allow the permittee to park in officially designated city bus stops in the Waikiki district, as defined in Section 21-7.80-1 of the land use ordinance, as amended. Such bus stops shall be restricted to use by city transit buses only.

(Sec. 15-15.5, R.O. 1978 (1987 Supp. to 1983 Ed.))

Sec. 15-15.6 Credit of annual fees.

When an annual fee has already been paid on a vehicle and that vehicle is, within the year, replaced by another vehicle, the unexpired portion of the annual fee paid on the vehicle so replaced shall be credited to the annual fee payable for the replacement vehicle. For the purposes hereof, the unexpired portion of the annual fee shall be that amount which is equal to two dollars for each full month remaining in the current licensing year. In addition, whenever a vehicle is replaced by another vehicle under the provisions hereof, the sum of five dollars shall be charged and collected to defray the administrative costs incurred by the city. (Sec. 15-15.6, R.O. 1978 (1983 Ed.))

Article 16. Stopping, Standing or Parking Restricted or Prohibited on Certain Streets

Sections:

15-16.1 Time limit parking within the City and County of Honolulu.
15-16.2 Vehicles in limited parking area to be moved 50 feet.
15-16.3 Parking within public parks and public school grounds restricted.
15-16.4 Restricted parking on federal-aid highways.
15-16.5 City Hall and satellite off-street parking.
15-16.6 Storage parking of commercial vehicles prohibited – No signs required.
15-16.7 Board of water supply off-street parking.
15-16.8 Twenty-four-hour time limit parking within the City and County of Honolulu.

Sec. 15-16.1 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 sign between the hours of seven a.m. and six p.m., unless otherwise provided by law, on any day except Sundays and public holidays upon any of the streets or portions thereof within the City and County of Honolulu as described in Schedule XXVI attached hereto and made a part hereof.* (Sec. 15-16.1, R.O. 1978 (1983 Ed.))

Sec. 15-16.2 Vehicles in limited parking area to be moved 50 feet.

In construing the provisions of Section 15-16.1 a vehicle in a limited parking area shall be moved not less than 50 feet

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

during the limited parking period or shall be deemed to have remained stationary. (Sec. 15-16.2, R.O. 1978 (1983 Ed.); Am. Ord. 90-77)

Sec. 15-16.3 Parking within public parks and public school grounds restricted.

(a) No person shall park a vehicle on any roadway within public parks and public school grounds in such a manner as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic.

(b) No person shall stop, park or leave standing a vehicle on any roadway within public parks and public school grounds other than parallel with the edge of the roadway heading in the direction of traffic and with the right-hand wheels of the vehicle within 12 inches of the curb line or edge of the roadway, except upon those roadways which have been marked or signed for angle parking, upon which roadways vehicles shall be parked at the angle to the curb indicated by such marks or signs.

(c) Wherever parking stalls for the parallel or angle parking of motor vehicles are marked off and designated on any roadway or in any parking area within public parks and public school grounds, each such parking stall shall extend in width eight feet and shall extend in length approximately 22 feet. The driver of any vehicle, excepting only single vehicles of a greater length or width, shall park such vehicle completely within the parking stall.

(d) No person shall park a vehicle on any roadway or in any parking area within public parks and public school grounds for the purpose of:
   (1) Displaying such vehicle for sale; or
   (2) Washing, greasing or repairing such vehicle, except minor repairs necessitated by an emergency.

(e) Wherever any roadway or parking area within public parks and public school grounds is kept open for vehicular use, no person shall park a vehicle on any such roadway or in any such parking area for a period of time longer than 60 minutes between the hours of two a.m. and six a.m. of any day.

(f) No vehicle shall be operated or driven off the improved or paved portion of any roadway within public parks and public school grounds, except to and from a parking area maintained therein. Disabled vehicles may be driven off the paved portion so as to prevent obstruction of traffic, until temporary repairs are made or until power is obtained to remove them.

(g) When official signs are erected giving notice thereof, no person shall, after school hours, stop, stand or park a vehicle in any parking facility maintained on public school grounds. The parking prohibition contained herein shall not apply to a person who is, after school hours, a guest or

patron of or an invitee to a function or activity approved by the proper school authorities.

(Sec. 15-16.3, R.O. 1978 (1983 Ed.))

Sec. 15-16.4 Restricted parking on federal-aid highways.

(a) No person shall park a vehicle within any off-street parking area of the federal-aid highway system during the hours of two a.m. to five a.m.; subject, however, to the exceptions granted authorized emergency vehicles, pursuant to Section 15-4.4.

(b) No person shall park a vehicle within any such off-street parking area for a period of time longer than 120 minutes during the hours of five a.m. to two a.m.

(c) No person shall, further, park a vehicle within any such off-street parking area for the purpose of:

(1) Displaying such vehicle for sale; or

(2) Washing, greasing, wiping or repairing such vehicle, except minor repairs necessitated by an emergency.

(d) The state director of transportation shall install appropriate signs identifying the off-street parking areas and indicating their restricted use for parking only.

(Sec. 15-16.4, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Am. 9/26/01
Ord. 01-50

Sec. 15-16.5 City Hall and satellite off-street parking.

(a) It is unlawful for any person to park a vehicle in an unmetered parking stall within the areas described in subsection (d) herein, unless such vehicle has a decal affixed thereon evidencing the issuance of a parking permit by the building superintendent or such person's authorized representative to park within such area.

(b) It is unlawful for any person to:

(1) Park a vehicle outside of a designated parking stall within the areas provided for city and county officials and employees, described in subsection (d) herein;

(2) Disregard or violate any direction, instruction or restriction indicated by or on appropriate signs and markings posted in or about the areas described in subsection (d) herein;

(3) Travel at a speed in excess of 10 miles per hour within the areas described in subsection (d) herein.

(c) Members of the police department and other persons authorized by the chief of police are authorized to remove or cause to be removed any vehicle parked within the areas described in subsection (d) herein when:

(1) Such vehicle does not display the required decal evidencing the issuance of a parking permit by the building superintendent or such person's authorized representative;

(2) Such vehicle is not parked wholly within a designated stall and straddles an adjoining stall.

(d) Except as specified otherwise, the director and building superintendent of the city is authorized and directed to designate by appropriate signs and/or markings all parking areas described below for the exclusive use of officials and employees of the city and employees of the civic center child care facility. The director and building superintendent is authorized to issue, upon application therefor on forms furnished by the director and building superintendent and upon payment of the applicable monthly parking fee, permits for parking described in subsection (e) of this section.

(1) Except for off-street parking areas serving fire stations and fire repair facilities, all off-street parking areas bounded by Ward Avenue, Kinau Street, Lusitana Street, H-1 Freeway, Nuuanu Stream, North Nimitz Highway, South Nimitz Highway and Ala Moana Boulevard are under the jurisdiction of the building department.

(2) The Alapai parking facility located at the Waikiki makai corner of Alapai and Beretania Streets, which includes areas P-1, P-2, P-3, B-1 and B-2, is under the jurisdiction of the chief of police. The chief of police of the city is authorized and directed to designate all parking areas by appropriate signs and/or markings for the exclusive use of officials and employees of the city. The chief of police is authorized to issue upon application therefor on forms furnished by the chief of police and upon payment of the applicable monthly parking fee, permits for parking described in this paragraph.

(3) The director and building superintendent and the chief of police are also authorized to charge a fee of $15.00 for each parking decal that is replaced due to being lost, stolen, misplaced or not returned.

(e) Any city official or employee, including elective and appointive officials, and any employee of the civic center child care facility, who applies for and receives a parking permit hereunder shall pay a fee for parking in accordance with the following schedule:

Assigned covered stall	$50.00 per month
Unassigned covered stall	$35.00 per month
Assigned tandem covered stall	$25.00 per month
Assigned uncovered stall	$40.00 per month
Unassigned uncovered stall	$25.00 per month
Unassigned uncovered satellite stall with bus pass for commuting to working place not less than 3/8 mile away	$20.00 per month
Assigned tandem uncovered stall	$15.00 per month

Car pool unassigned covered or uncovered stalls:
Two occupants . . . . . 75% of specified rate
Three occupants . . . . . 50% of specified rate
Four or more occupants . . . . . No Charge.

(f) Appointive members of boards and commissions shall be entitled to park free of charge in areas that are set aside for such parking.
(g) The building superintendent and the chief of police shall also set aside areas where city and county vehicles not assigned to specific city officials and which are utilized for the conduct of daily city business (motor pool cars) shall be parked. No charge shall be made for these vehicles.
(h) The building superintendent and the chief of police are also authorized and directed to establish, mark and designate metered and unmetered parking stalls within the areas designated in subsections (d)(1) and (d)(2).
(i) The building superintendent and the chief of police shall also post appropriate signs in and about their respective areas so established to indicate the type of parking in effect and in the case of metered parking spaces, the times during which meter fees are in effect.
(j) Bicycles, Motorcycles, Motorscooters and Mopeds. Notwithstanding the foregoing provisions, portions of the parking facilities which are not designated as parking stalls shall be designated for the parking of bicycles, motorcycles, motorscooters and mopeds as defined in HRS Section 291C-1, free of charge.

(Sec. 15-16.5, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-78, 92-24, 94-03, 95-30)

Sec. 15-16.6 Storage parking of commercial vehicles prohibited--No signs required. Am. 12/8/00 Ord. 00-69

It is unlawful for the driver or owner of any bus, truck, truck-trailer, trailer, van, house trailer or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of public utilities and construction equipment while actually engaged in repair or construction work or vehicles actually loading goods, wares or merchandise, to park the same or permit the same to be parked, stand or remain motionless for a period in excess of four hours on any public street. Any such vehicle shall be subject to all parking limitations applicable thereto unless otherwise provided by law. (Sec. 15-16.6, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Sec. 15-16.7 Board of water supply off-street parking.
(a) No person shall park any vehicle in the parking areas located at the board of water supply Beretania complex as shown on Exhibit 15-16.7 which follows, and as described in subsection (e) herein, who has not been specifically

authorized by the manager and chief engineer or his or her authorized subordinate or who is not on a business visit to the board of water supply.

(b) No person shall park any vehicle outside of the designated parking stall or other spaces set aside for parking, as described in subsection (e) herein.

(c) No person shall park any vehicle contrary to any directions, instructions or restrictions indicated by or on official signs and markings therein at any hour of the day or day of the week posted in or about the areas described in subsection (e) herein.

(d) Any police officer or any person authorized by the chief of police is authorized to issue a citation to any person who violates the provisions of this section and to remove or cause to be removed any vehicle parked within the areas described in subsection (e) herein, with removal costs to be borne by the violator or owner of the vehicle which is parked in violation of the provisions of this section.

(e) Except as specified otherwise by appropriate signs and/or markings, the following parking areas are designated for the exclusive use of officials, employees, guests and customers of the board of water supply:

(1) AREA A, being that parcel of land located within the block bounded by Lauhala Street, Lusitana Street, Lisbon Street and Beretania Street, more particularly described as follows:

(A) Beginning at the northerly corner of this lot, being also the westerly corner of Lot E, and running by azimuths measured clockwise from true south:

1. 327° 15′ . . 265.61 feet;
2. 57° 15′ . . 65.00 feet;
3. 147° 15′ . . 270.33 feet;
4. 242° 40′ . . 65.29 feet to the point of beginning and containing an area of 17,371 sq. ft.

(2) AREAS B and C, being those parcels of land located within the block bounded by Lisbon Street, Lusitana Street, Alapai Street and Beretania Street, more particularly described as follows:

(A) Area B — Beginning at the northerly corner of this lot, being also the westerly corner of Lot C, and running by azimuths measured clockwise from true south:

1. 319° 04′ . . 124.67 feet;
2. 47° 10′ . . 42.12 feet;
3. 21° 12′ . . 4.58 feet;
4. 138° 30′ . . 135.06 feet;
5. 237° 15′ . . 47.98 feet to the point of beginning and containing an area of 6,037 sq. ft.

(B) Area C — Beginning at the northerly corner of this lot, being also the intersection of Lisbon Street and Lusitana Street, and running by azimuths measured clockwise from true south:

1. 330° 15′ . . 98.46 feet
2. 47° 10′ . . 143.28 feet
3. 139° 04′ . . 124.67 feet
4. 237° 15′ . . 163.96 feet to the point of beginning and containing an area of 16,988 sq. ft.

(3) AREAS D and E, being those parcels of land located within the block bounded by Lauhala Street, Lusitana Street, Lisbon Street and Beretania Street, more particularly described as follows:

(A) Area D — Beginning at the northeast corner of this lot, being also the intersection of Lauhala Street and Lusitana Street, and running by azimuths measured clockwise from true south:

1. 341° 34′ . . 7.96 feet;
2. 335° 55′ . . 119.04 feet;
3. 330° 15′ . . 51.10 feet;
4. 57° 15′ . . 230.00 feet;
5. 147° 15′ . . 236.80 feet;
6. 245° 50′ . . 238.87 feet;
7. 293° 42′ . . 29.67 feet to the point of beginning and containing an

area of 52,437 sq. ft.

(B) Area E — Beginning at the northerly corner of this lot, being also the westerly corner of Lot D, and running by azimuths measured clockwise from true south:

1. 327° 15′ . . 266.80 feet;
2. 57° 15′ . . 215.00 feet;
3. 147° 15′ . . 265.61 feet;
4. 242° 40′ . . 10.55 feet;
5. 243° 29′ . . 57.41 feet;
6. 244° 57′ . . 43.51 feet;
7. 245° 42′ . . 8.40 feet;
8. 245° 50′ . . 97.09 feet to the point of beginning and containing an area of 54,243 sq. ft.

(4) AREA F, being that parcel of land located within the block bounded by Lisbon Street, Lusitana Street, Alapai Street and Beretania Street, more particularly described as follows:

(A) Beginning at the northerly corner of this lot, being also the westerly corner of Lot B, and running by azimuths measured clockwise from true south:

1. 318° 30′ . . 135.06 feet;
2. 21° 12′ . . 252.20 feet;

3.	68° 14′	. .	61.48 feet;
4.	115° 17′	. .	95.05 feet;
5.	115° 50′	. .	26.94 feet;
6.	119° 34′	. .	156.48 feet;
7.	180° 00′	. .	33.64 feet;
8.	237° 15′	. .	362.32 feet to the point of beginning and containing an area of 78,564 sq. ft.

(Sec. 15-16.7, R.O. 1978 (1983 Ed.))

Sec. 15-16.8 Twenty-four-hour time limit parking within the City and County of Honolulu.

(a) When official signs are posted giving notice thereof, no person shall park a vehicle in the same location for a period of time longer than 24 hours, unless otherwise provided by law, upon any of the streets within the City and County of Honolulu. A vehicle shall be deemed parked in the same location for more than 24 hours if the vehicle has not been moved within the prescribed time period based upon markings or other means as determined by a police officer or an authorized representative of the department of transportation services. Every three hours a vehicle remains parked in violation of this section after the first violation occurs shall constitute a separate violation.

(b) The director of transportation services shall designate, after holding a public hearing on the matter, those streets in the City and County of Honolulu where parking is to be limited to 24 hours in accordance with Section 15-3.1.

(Added by Ord. 90-73; Am. Ord. 90-77)

Article 17. Pedestrians' Rights and Duties

Sections:

15-17.1 Additional marked crosswalks established.
15-17.2 Restrictions on pedestrians crossing roadways.
15-17.3 Blind and crippled pedestrians' right-of-way.
15-17.4 Hitchhiking.
15-17.5 Restrictions on freeways.
15-17.6 Sitting, standing or walking on railings of highway bridges or overpasses.
15-17.7 Restrictions on fishing and crabbing from certain bridges.
15-17.8 Restrictions on operation of bicycle on pedestrian overpass and underpass — Duties of dismounted operator.

Sec. 15-17.1 Additional marked crosswalks established.

In addition to marked crosswalks heretofore established, marked crosswalks are established at the locations described in

Schedule XXVII attached to the ordinance codified in this section and made a part hereof.* (Sec. 15-17.1, R.O. 1978 (1983 Ed.))

Sec. 15-17.2 Restrictions on pedestrians crossing roadways.

(a) No pedestrian shall enter any marked or unmarked crosswalk or part thereof when vehicular traffic is so close thereto as to constitute an immediate hazard, nor shall any pedestrian enter any unmarked crosswalk where traffic signs forbid such entry.

(b) No pedestrian shall cross any roadway within any business district except within a marked or unmarked crosswalk, nor any roadway in any residence district within 200 feet of any intersection except within a marked or unmarked crosswalk at such intersection.

(c) No pedestrian shall enter upon or cross any roadway or portion of any roadway designated by the council as closed to pedestrian traffic, except within an authorized marked crosswalk, or upon a pedestrian overpass or through a pedestrian tunnel.

(d) The roadways or portions of roadways are designated as closed to pedestrian traffic at the locations described in Schedule XXVIII attached to the ordinance codified in this section and made a part hereof.*

(Sec. 15-17.2, R.O. 1978 (1983 Ed.))

Sec. 15-17.3 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, or accompanied by a Seeing-Eye dog, and blowing continually a whistle similar to the type of whistle used by traffic officers. The failure of any such blind pedestrian to signal shall not deprive such person of the right-of-way accorded him or her by other provisions of this code. (Sec. 15-17.3, R.O. 1978 (1983 Ed.))

Sec. 15-17.4 Hitchhiking.

The solicitation of free rides (hitchhiking) shall be permitted at any official bus stop of the city and county or in any open area where there are no official bus stops within a reasonable distance; provided, however, that the person soliciting rides shall not stand for the purpose of such solicitation on the roadway; and provided further, that no person shall attempt to intimidate, threaten or otherwise annoy passing motorists while so engaged in hitchhiking. Any person violating this section shall be issued a citation according to the

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

procedures specified in Article 26 of this chapter unless such person refuses to provide suitable identification, in which case the arresting officer shall take the person into custody according to the prescribed procedure for physical arrest in HRS Chapter 803. (Sec. 15-17.4, R.O. 1978 (1983 Ed.); Am. Ord. 95-15)

Sec. 15-17.5 Restrictions on freeways.

(a) The city council may, by ordinance, with respect to freeways or designated portions thereof under their jurisdiction to which all rights of access have been acquired, prohibit or restrict the use of such freeways or any portion thereof by pedestrians, bicycles or other non-motorized traffic or by any person operating a motor-driven cycle.

(b) Such prohibitory regulations shall be effective when appropriate signs giving notice thereof are erected upon any such freeway and the approaches thereto.

(Sec. 15-17.5, R.O. 1978 (1983 Ed.))

Sec. 15-17.6 Sitting, standing or walking on railings of highway bridges or overpasses.

No person shall sit, stand or walk, or aid or assist any other person to sit, stand or walk upon the railing of any highway bridge or overpass in the City and County of Honolulu. (Sec. 15-17.6, R.O. 1978 (1983 Ed.))

Sec. 15-17.7 Restrictions on fishing and crabbing from certain bridges.

No person shall fish or crab from the areas described in Schedule XXIX attached to the ordinance codified in this section and made a part hereof when signs prohibiting such activity have been posted.* (Sec. 15-17.7, R.O. 1978 (1983 Ed.))

Sec. 15-17.8 Restrictions on operation of bicycle on pedestrian overpass and underpass – Duties of dismounted operator.

No person shall operate a bicycle upon any portion of a pedestrian overpass or underpass, except that bicycles with the operator dismounted may be permitted on such structures for the purpose of crossing the highway and while so doing shall obey the regulations applicable to pedestrians. (Sec. 15-17.9, R.O. 1978 (1983 Ed.))

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

Article 18. Operation of Bicycles and Play Vehicles

Sections:

15-18.1 License required.
15-18.2 Attachment of license plate or license decal.
15-18.3 Obedience to traffic control devices.
15-18.4 Speed.
15-18.5 Emerging from alley, bikeway or driveway.
15-18.6 Parking.
15-18.7 Riding on sidewalks.
15-18.8 Direction of travel along bicycle lanes.
(15-18.9 Leaving bicycle lanes. Repealed by Ord. 94-78)
15-18.9 Reserved.
15-18.10 Regulations applicable to bicycle paths constructed on dedicated easements.
15-18.11 Operating bicycle with motor.

Sec. 15-18.1 License required.

No person who resides within the City and County of Honolulu shall ride or propel a bicycle on any street, highway, alley, roadway or sidewalk or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate two by three inches in size, or a license decal, is attached thereto as provided in this article. (Sec. 15-18.1, R.O. 1978 (1983 Ed.))

Sec. 15-18.2 Attachment of license plate or license decal.

In the case of a license plate, it shall be firmly attached to the rear mudguard or frame of the bicycle for which it is issued, in such position as to be plainly visible from the rear. In the case of a license decal, it shall be affixed to the upright post attached to the sprocket of the bicycle for which it is issued, faced in the forward direction. (Sec. 15-18.2, R.O. 1978 (1983 Ed.))

Sec. 15-18.3 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 or any other persons authorized to direct, control or regulate traffic.

(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.

(c) As provided under Section 15-6.7, a bicycle lane designated in Schedule XXXIV* shall be used exclusively for operating bicycles, except:
   (1) As otherwise provided in Section 15-6.7; and
   (2) Where there is no adjacent paved sidewalk provided, then a pedestrian may use the bicycle lane as a walkway and a bicycle rider shall yield the right-of-way to the pedestrian. When using a bicycle lane, a pedestrian shall walk as near the outside edge as possible. When two or more pedestrians use a bicycle lane, they shall walk in single file as near the outside edge as possible.

(Sec. 15-18.3, R.O. 1978 (1983 Ed.); Am. Ord. 94-78)

Sec. 15-18.4 Speed.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.
(Sec. 15-18.4, R.O. 1978 (1983 Ed.))

Sec. 15-18.5 Emerging from alley, bikeway or driveway.

The operator of a bicycle emerging from an alley, driveway, bikeway or building shall, upon approaching a sidewalk or the sidewalk area extending across such alley, driveway, bikeway or building, yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area, and upon entering a bikeway, shall yield the right-of-way to all bicycles approaching on such lane, and upon entering the roadway shall yield the right-of-way to all vehicles or bicycles approaching on such roadway.
(Sec. 15-18.5, R.O. 1978 (1983 Ed.))

Sec. 15-18.6 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; and in such manner as to afford the least obstruction to pedestrian traffic.
(Sec. 15-18.6, R.O. 1978 (1983 Ed.))

Sec. 15-18.7 Riding on sidewalks.

(a) No person shall ride a bicycle upon a sidewalk within a business district.
(b) The director of transportation services is 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.
(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

(d) No person shall ride a bicycle equipped with a motor on any sidewalk.
(Sec. 15-18.7, R.O. 1978 (1983 Ed.))

Sec. 15-18.8 Direction of travel along bicycle lanes.

No person shall ride or operate a bicycle within a bicycle lane in any direction except that permitted of vehicular traffic traveling on the same side of the roadway; provided, that bicycles may proceed either way along a lane where arrows appear on the surface of the lane designating two-way traffic.
(Sec. 15-18.8, R.O. 1978 (1983 Ed.))

(Sec. 15-18.9 Leaving bicycle lanes. Repealed by Ord. 94-78.)

Sec. 15-18.9 Reserved.

Sec. 15-18.10 Regulations applicable to bicycle paths constructed on dedicated easements.

Within the limits of bicycle paths and their respective easements, such easements having been granted to the City and County of Honolulu for purposes of providing bicycle paths, no person shall:

(a) Wilfully or intentionally destroy, damage or injure any property;
(b) Climb onto any bridge, tree, wall, fence or other structure;
(c) Swim, bathe, wade in, pollute or block the water of any natural stream;
(d) Litter, throw or dispose of any refuse or waste material;
(e) Kindle, build, maintain or use any fire;
(f) Annoy, molest, kill, wound, chase, shoot or throw missiles at any animal or bird;
(g) Distribute, post or place any commercial handbill or circular, notice or other advertising device or matter, except as permitted by the terms of any agreement relating to the use of the bicycle path and easement;
(h) Operate any vehicle other than (1) a bicycle without a motor, or (2) authorized vehicles, where permitted by posted signs;
(i) Park, wash, polish or repair cars or other vehicles;
(j) Cut or remove any wood, plant, grass, soil, rock, sand or gravel;
(k) Sell or offer for sale any merchandise, article or thing, or engage in any commercial operations whatsoever;
(l) Amplify music or use battery-operated loudspeakers (bull horns);
(m) Ride or drive any horse or any other animal;
(n) Engage in any sports or recreational activities other than the riding of bicycles;
(o) Discharge firearms of any kind;
(p) Place tents or other structures, or in any way inhabit the premises;

(q) Park any bicycle or vehicle on the bicycle path except authorized maintenance and security vehicles;
(r) Drive any vehicle, including a bicycle, across the bicycle path without first coming to a full stop; or
(s) Fail to yield the right-of-way to an authorized motor vehicle.

(Sec. 15-18.10, R.O. 1978 (1983 Ed.))

Sec. 15-18.11 Operating bicycle with motor.

No person less than 15 years of age shall operate a bicycle equipped with a motor on any street or highway, nor shall more than one person at a time be allowed to ride a bicycle equipped with a motor. (Sec. 15-18.11, R.O. 1978 (1983 Ed.)

Article 19. Equipment

Sections:

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15-19.2 When lighted lamps required.
15-19.3 New motor vehicles to be equipped with reflectors.
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15-19.5 Additional equipment required on certain vehicles.
15-19.6 Clearance lamps, side marker lamps and reflectors – Color.
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15-19.8 Clearance lamps, side marker lamps and reflectors – Visibility.
15-19.9 Stop lamps required on new motor vehicles.
15-19.10 Lamps on parked vehicles.
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15-19.12 Auxiliary driving lamps.
15-19.13 Signal lamps and signal devices.
15-19.14 Additional lighting equipment.
15-19.15 Head lamps.
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15-19.42 Movement of forklifts upon the public highway.
15-19.43 Sound vehicles.

Sec. 15-19.1 Scope and effect of regulations.

(a) It is a misdemeanor for any person to drive or move or for the registered 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 required in this article, or for any person to do any act forbidden or fail to perform any act required under this article.

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

(c) The provisions of this article 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.

(Sec. 15-19.1, R.O. 1978 (1983 Ed.))

Sec. 15-19.2 When lighted lamps required.

Every vehicle upon a highway at any time from a half-hour after sunset to a half-hour before sunrise, and at any other time when there is insufficient light to render clearly discernible persons and vehicles on the highway at a distance of 200 feet ahead, shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles

as hereinafter stated; provided, that every vehicle upon a highway within a tunnel shall at all hours display lighted lamps, illuminating devices and tail lamps in addition to any other equipment required for that class of vehicle by the provisions of this section. (Sec. 15-19.2, R.O. 1978 (1983 Ed.))

Sec. 15-19.3 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 Section 15-19.5 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.

(Sec. 15-19.3, R.O. 1978 (1983 Ed.))

Sec. 15-19.4 Application of succeeding sections.

The sections immediately following relating to clearance and marker lamps, reflectors and stop lights shall apply as stated in said sections to vehicles of the type therein enumerated, and such vehicles, when operated upon any highway, shall be equipped as required and all lamp equipment required shall be lighted from 30 minutes after sunset until 30 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. (Sec. 15-19.4, R.O. 1978 (1983 Ed.))

Sec. 15-19.5 Additional equipment required on certain vehicles.

In addition to other equipment required in this article, the following vehicles shall be equipped as herein stated under the conditions stated in Section 15-19.4:

(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 overall width, in addition to the requirements in subsection (a):
   (1) On the front, two clearance lamps, one at each side;
   (2) On the rear, two clearance lamps, one at each side;

(3) On each side, two marker lamps, one at or near the front and one at or near the rear;
(4) On each side, two reflectors, one at or near the front and one at or near the rear.

(c) On every truck tractor:
(1) On the front, two clearance lamps, one at each side;
(2) On the rear, one stop light.

(d) On every trailer or semi-trailer having a gross weight in excess of 3,000 pounds:
(1) On the front, two clearance lamps, one at each side;
(2) On each side, two side marker lamps, one at or near the front and one at or near the rear;
(3) On each side, two reflectors, one at or near the front and one at or near the rear;
(4) 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:
(1) On each side, one side marker lamp and one clearance lamp which may be in combination, to show to the front, side and rear;
(2) 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:
(1) 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.

(Sec. 15-19.5, R.O. 1978 (1983 Ed.))

Sec. 15-19.6 Clearance lamps, side marker lamps and reflectors – Color.

(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, yellow or green, and except the light illuminating the license plate or the light emitted by a back-up lamp, which shall be predominantly white.

(Sec. 15-19.6, R.O. 1978 (1983 Ed.))

Sec. 15-19.7 Clearance lamps, side marker lamps and reflectors – Mounting.

(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.

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

(2) 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 article.

(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.

(Sec. 15-19.7, R.O. 1978 (1983 Ed.))

Sec. 15-19.8 Clearance lamps, side marker lamps and reflectors – Visibility.

(a) Every reflector upon any vehicle referred to in Section 15-19.5 shall be of such size and characteristics and so maintained as to be readily visible at nighttime 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.

(Sec. 15-19.8, R.O. 1978 (1983 Ed.))

Sec. 15-19.9 Stop lamps required on new motor vehicles.

It is 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 Section 15-19.13.

(Sec. 15-19.9, R.O. 1978 (1983 Ed.))

Sec. 15-19.10 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 is 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. (Sec. 15-19.10, R.O. 1978 (1983 Ed.))

Sec. 15-19.11 Spot lamps.

No vehicle, other than authorized emergency vehicles as hereinbefore described, shall use any spotlight while in motion upon any street or highway within the City and County of Honolulu. (Sec. 15-19.11, R.O. 1978 (1983 Ed.))

Sec. 15-19.12 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 article. (Sec. 15-19.12, R.O. 1978 (1983 Ed.))

Sec. 15-19.13 Signal lamps and signal devices.

(a) Any motor vehicle may be equipped and, when required under this article shall be equipped, with the following signal lamps or devices:

(1) A stop lamp or lamps on the rear, which shall emit a red 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;

(3) Lamps for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing. The lamps used to display such warning to the front shall be at least two in number, mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be at least two in number, mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing amber or red lights, or any shade of color between amber and red. The warning

lights shall be visible for a distance of 1,500 feet under normal atmospheric conditions at night.

(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 nighttime, and a signal lamp or lamps indicating an intention to turn shall be visible and understandable during daytime and nighttime 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.

(Sec. 15-19.13, R.O. 1978 (1983 Ed.))

Sec. 15-19.14 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.

(Sec. 15-19.14, R.O. 1978 (1983 Ed.))

Sec. 15-19.15 Head lamps.

(a) Every motor vehicle operated upon a highway, other than a motorcycle or motorized scooter or bicycle, shall be equipped with at least two multiple-beam or single-beam head lamps, one at each side of the front thereof, which shall conform to the requirements and limitations prescribed herein; provided, that the provisions of this subsection shall not apply to trucks with restrictive stickers as prescribed in Section 15-19.5.

(b) Every motorcycle operated upon a highway shall be equipped with at least one and not more than two multiple-beam or single-beam head lamps on the front thereof, which shall conform to the requirements and limitations prescribed herein.

(Sec. 15-19.15, R.O. 1978 (1983 Ed.))

Sec. 15-19.16 Multiple-beam road-lighting equipment.

Except as hereinafter 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 right 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 subsection (b)(1).

(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 which has 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. Such 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.

(Sec. 15-19.16, R.O. 1978 (1983 Ed.))

Sec. 15-19.17 Use of multiple-beam road-lighting equipment.

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.

(a) 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.
(b) The lowermost distribution of light specified in Section 15-19.16 (b)(1) shall be deemed to avoid glare at all times, regardless of road contour and loading.
(Sec. 15-19.17, R.O. 1978 (1983 Ed.))

Sec. 15-19.18 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.
(Sec. 15-19.18, R.O. 1978 (1983 Ed.))

Sec. 15-19.19 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. (Sec. 15-19.19, R.O. 1978 (1983 Ed.))

Sec. 15-19.20 Lights not required where obscured from view.
Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, need not be lighted; but this shall not affect the requirement that lighted clearance lamps be displayed on the

front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted. (Sec. 15-19.20, R.O. 1978 (1983 Ed.))

Sec. 15-19.21 Head lamps on motorized scooters.

Every motorized scooter or motorized bicycle, at all times specified in Section 15-19.2 shall be equipped with at least one and not more than two lighted head lamps so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least 100 feet ahead of the vehicle. The head lamps may be of the single beam type, provided that the power supply and the complete electrical system of the vehicle shall be adequate to provide 2,500 candlepower illumination. (Sec. 15-19.21, R.O. 1978 (1983 Ed.))

Sec. 15-19.22 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 or therein displaying a red or green or blue light visible to any driver or pedestrian upon the highway ahead of such vehicle or equipment. The foregoing provisions shall not apply to authorized emergency vehicles.

(c) Flashing lights are prohibited on or within any motor vehicle, except on an authorized emergency vehicle, a mechanical street sweeper as described in Section 15-4.8, an escort or other vehicle mentioned in Section 15-21.13, an authorized maintenance vehicle, an authorized tow vehicle, a vehicle using such light as a means for indicating a right or left turn, vehicles participating in a funeral procession required by Section 15-24.4(c) to display flashing amber lights, and a stopped or disabled vehicle indicating the presence of a vehicular traffic hazard as provided in Section 15-19.13(a)(3).

(d) No person shall drive or move any vehicle or equipment upon any highway with any lamp or other device therein or thereon emitting a flashing or revolving light. The foregoing prohibition, however, shall not apply to:

(1) An authorized emergency vehicle;

(2) A mechanical street sweeper as described in Section 15-4.8;

(3) A vehicle using such light as a means for indicating a right or left turn;

(4) A vehicle using an amber flashing light when escorting, carrying, transporting or drawing equipment or loads of excessive weight, width or height as mentioned in Section 15-21.13;

(5) Authorized maintenance vehicles, authorized tow vehicles and those vehicles participating in a funeral procession required by Section 15-24.4(c) to display flashing amber lights shall be permitted the use of flashing amber lights when answering emergency calls or when actually engaged in construction or maintenance work or in towing vehicles or when participating in a funeral procession. Such authorized vehicles shall be subject at all times to all traffic laws, rules and regulations;

(6) A taxicab using a flashing dome light sign to signal when a robbery is in progress.

(e) No person shall drive or move any vehicle or equipment upon any highway with any lamp, reflector or other device thereon displaying a blue light visible to any driver or pedestrian upon the highway. The foregoing provisions, however, shall not apply to officers and employees of the Honolulu police department operating vehicles of the police department or vehicles privately owned but used in the performance of duties with the approval of the chief of police.

(Sec. 15-19.22, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Sec. 15-19.23 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 the chief.

(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 article which has been approved by the chief of police unless such lamp or device bears thereon the trademark 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 article unless such lamps are equipped with bulbs of a rated candlepower and are so mounted and adjusted as to focus and aim in accordance with instructions of the chief of police.

(Sec. 15-19.23, R.O. 1978 (1983 Ed.))

Sec. 15-19.24 Brake equipment required.

(a) 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.

(b) 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.

(c) 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 such brakes shall be so designed and connected that, in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied. An exception is made that such brakes are not required on any trailer of a gross weight of less than 3,000 pounds if such gross weight does not exceed 50 percent or more of the weight of the towing vehicle.

(d) Every new motor vehicle except a motorcycle or motorscooter 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.

(e) 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.

(f) One of the means of brake operation shall consist of a mechanical connection from the operating lever to the brake shoes or hands, 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.

(g) 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.

(Sec. 15-19.24, R.O. 1978 (1983 Ed.))

Sec. 15-19.25 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 distance 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
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

(Sec. 15-19.25, R.O. 1978 (1983 Ed.))

Sec. 15-19.26 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.
(Sec. 15-19.26, R.O. 1978 (1983 Ed.))

Sec. 15-19.27 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 ensure safe operation, give audible warning with his or her 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 herein.

(c) Any authorized emergency vehicle may be equipped with a siren, whistle, bell or air horn capable of emitting sound audible, under normal conditions, from a distance of not less than 500 feet, and of a type approved by the director of finance; provided, that the use of such air horn shall be restricted to heavy fire equipment such as fire engines,

ladder trucks and rescue trucks; and provided further, that such siren or air horn 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 latter events the driver of such vehicle shall sound the siren or air horn when necessary to warn pedestrians and other drivers of the approach thereof.

(d) Any truck used to haul dirt, rock concrete or other construction material may be equipped with a horn, bell or whistle in the rear thereof, capable of emitting a sound audible under normal conditions from a distance of not less than 200 feet; such warning device, however, to be sounded only while the truck is backing up.

(Sec. 15-19.27, R.O. 1978 (1983 Ed.))

Sec. 15-19.28 Mufflers – Noise-controlling devices.

(a) No person shall operate a motor vehicle on a public highway or street unless such motor vehicle is equipped, at all times, with a muffler or mufflers in constant operation and of such length and size or of sufficient capacity for the motor and/or exhaust system to prevent the escape of excessive or annoying fumes or smoke, and excessive or unusual noise. The term "excessive or unusual noise," as used in this section, means noise in excess of the usual noise which would necessarily result from the operation of a motor when reduced to the minimum by a muffler such as is defined herein.

(b) No person shall operate a motor vehicle on a public highway or street unless the motor and/or exhaust system of such motor vehicle is properly equipped and adjusted so as to prevent the escape of excessive or annoying fumes or smoke and the emission of excessive or unusual noise as defined herein.

(c) No person shall operate a motor vehicle on a public highway or street with a motor and/or exhaust system which has been altered or modified to such an extent that the noise emitted by the motor and/or exhaust system thereof shall be deemed excessive or unusual as defined herein, or equipped with a dummy muffler, cut-out, by-pass or other similar device.

(d) No person shall operate a motor vehicle on a public highway equipped with an exhaust system or device which will amplify or increase the noise emitted by the motor of such motor vehicle above that emitted by the exhaust system or device with which the motor vehicle came originally equipped from the factory.

(e) No person shall operate a motor vehicle on a public highway with a muffler with baffles or other interior parts, or both, which are not fixed or are not stationary.

(Sec. 15-19.28, R.O. 1978 (1983 Ed.))

2Sec. 15-19.29 Rear vision mirror required.

Every motor vehicle shall be equipped with a mirror or mirrors 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. (Sec. 15-19.29, R.O. 1978 (1983 Ed.))

Sec. 15-19.30 Windshields to be unobstructed and equipped with wipers.

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

(b) Except as otherwise provided in Section 15-15.5, posters or stickers approved by the chief of police shall be placed at the lower right-hand corner of the front windshield of a left-hand-driven motor vehicle or at the lower left-hand corner of the front windshield of a right-hand-driven motor vehicle, or in a location as approved by the chief of police. However, such posters or stickers so placed shall not cover an area greater than four inches by six inches, except for non-residence permits or for military requirements, in which case an additional area four and one-half inches by six inches may be used.

(c) No person shall drive any motor vehicle with any nontransparent 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 ornament of any material which vibrates, swings or flutters within view of the driver of such vehicle.

(d) 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.

(e) Every windshield wiper upon a vehicle shall be maintained in good working order.

(Sec. 15-19.30, R.O. 1978 (1987 Supp. to 1983 Ed.))

Sec. 15-19.31 Windshield, fenders and bumpers required on all vehicles.

Every motor vehicle upon a highway, excepting a motorcycle and motorscooter, shall be equipped with a windshield. In addition, every motor vehicle upon a highway, excepting a motorcycle and motorscooter, shall be equipped with fenders for all wheels, and front and rear bumpers. (Sec. 15-19.31, R.O. 1978 (1983 Ed.))

Sec. 15-19.32 Mudguards required.

No person shall operate on any highway any motor vehicle, trailer or semi-trailer unless equipped with fenders, covers or

devices, including flaps or splash aprons, or unless the body of the vehicle or attachments thereto afford adequate protection to effectively minimize the spray or splash of water or mud to the rear of the vehicle. (Sec. 15-19.32, R.O. 1978 (1983 Ed.))

Sec. 15-19.33 Safety glass in motor vehicles.

(a) No person shall sell any new motor vehicle unless such new vehicle is equipped with safety glass wherever glass is used in doors, windows and windshields.

(b) Glass, wherever used in doors, windows and windshields of any motor vehicle, which is shattered or broken shall be removed and replaced with safety glass.

(Sec. 15-19.33, R.O. 1978 (1983 Ed.))

Sec. 15-19.34 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 is carried in such vehicle the following equipment, except as provided in subsection (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 nighttime.

(A) Each flare (liquid-burning pot torch) shall be capable of burning for not less than 12 hours in five-mile-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 vehicles in a metal rack or box.

(B) 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 subsection (a), any motor vehicle used in the transportation of flammable gases unless there are 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 section in the event the person operating any motor

vehicle described in this article carries in such vehicle three portable reflector units on standards of a type approved by the director of finance. 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 nighttime when directly in front of the lawful upper beams of head lamps.

(Sec. 15-19.34, R.O. 1978 (1983 Ed.))

Sec. 15-19.35 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 highway or the shoulder thereof at any time when lighted lamps are required on the 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 subsection (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 flammable liquids in bulk or in the transportation of compressed flammable gases is disabled upon a highway at any time or place mentioned in subsection (a), the driver of such vehicle shall display upon the roadway the following lighted warning devices: 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 subsection (a)(2).

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

(c) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof, at any time when the display of fusees, 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 this section 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 section either during the daytime or at nighttime; 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, fusees, lanterns and flags to be displayed as required in this section shall conform with the requirements as hereinabove set forth.

(Sec. 15-19.35, R.O. 1978 (1983 Ed.))

Sec. 15-19.36 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 Section 15-19.35, except that in lieu of such warning devices the driver of a passenger bus may display the interior lights of the bus for as long a time as warning devices must be displayed. (Sec. 15-19.36, R.O. 1978 (1983 Ed.))

Sec. 15-19.37 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 and the rear thereof in letters at least three inches high on a background of sharply contrasting color, either:

(1) With a sign or lettering on the vehicle with the word "Flammable"; or

(2) With the common name of the flammable liquid being transported; or

(3) With the name of the carrier or the carrier's trademark, when and only when such name or trademark plainly indicates the flammable nature of the load; provided, however, that the foregoing provisions shall not apply to any vehicle used occasionally for personal delivery by the owner thereof for such owner's private use.

(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 eight 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 six 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 chief of the City and County of Honolulu, filled and ready for immediate use, and placed at a convenient point on the vehicle.

(d) No person shall transport explosives or cause explosives to be transported except in compliance with the rules and regulations of the state department of labor and industrial relations and after first having secured a permit from the director of labor and industrial relations as prescribed in HRS Chapter 396.

(Sec. 15-19.37, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

(Sec. 15-19.38 Reconstructed vehicle—Permit required. Repealed by Ord. 95-15.)

Sec. 15-19.38 Reserved.

Sec. 15-19.39 Television in motor vehicle.

No person shall drive a motor vehicle which is equipped with a television receiver screen, or other means of visually receiving a television broadcast, which is located in the motor vehicle at any point forward of the back of the driver's seat or which is visible to the driver while operating the motor vehicle.

(Sec. 15-19.39, R.O. 1978 (1983 Ed.))

Sec. 15-19.40 Trucks equipped with lift tail gates.

At all times a lift tail gate shall be placed in a vertical position and securely locked or be completely withdrawn under the body of the truck, except:

(a) When the truck is stopped and the lift tail gate is being used in loading or unloading freight; and

(b) That the lift tail gate of a pickup truck, while in operation and carrying passengers in the bed or load-carrying area, shall be in compliance with HRS Section 291-14.

(Sec. 15-19.40, R.O. 1978 (1983 Ed.); Am. Ord. 89-130)

Sec. 15-19.41 Safety chain (stay chain or cable) required.

Every trailer to be operated upon a public highway shall, in addition to a tow bar, be equipped with a safety chain or chains (stay chain or cable) adequate to hold such vehicle to the towing vehicle in the event of tow bar and/or coupling failure. Each chain or cable and its accompanying coupling and mounting devices

shall have an ultimate strength equal at least to the gross weight of the trailer. (Sec. 15-19.41, R.O. 1978 (1983 Ed.))

Sec. 15-19.42 Movement of forklifts upon the public highway.

No forklift shall be towed or otherwise moved upon a public highway unless the fork has been removed or stowed in such a manner as to not extend beyond the body of the vehicle, or a flag at least 16 inches square on a two-foot pole is attached in an upright position at the extreme end of the fork. The tip of the fork shall not be raised more than nine inches above the road surface while being towed. (Sec. 15-19.42, R.O. 1978 (1983 Ed.))

Sec. 15-19.43 Sound vehicles.

(a) "Sound vehicle" means any vehicle which carries or is equipped with any instrument or device for the production or reproduction of music, spoken words or other sounds, or any loudspeaker or other sound-amplifying device designed to enlarge the volume of sound produced by any instrument or by the human voice, which instrument or device is used, or intended to be used, for the purpose of advertising or calling attention to any article, thing or event, or for the purpose of addressing the public or attracting the attention of the public; provided, that the term shall not include the following:
   (1) Vehicles used in a parade or procession duly authorized;
   (2) A vehicle equipped with a horn designed and used for the purpose of warning traffic, or any authorized emergency vehicle, as defined in the traffic code; or
   (3) Vehicles equipped with radio, television or other sound device, designed and installed for the use and enjoyment of the occupants of such vehicles.

(b) No person shall drive, operate, propel or park on any public street or highway any sound vehicle with its sound-amplifying device in operation without first having obtained a revocable permit from the chief of police. Such permit shall be good for one year and may be renewed annually upon application.

(c) All applications for such permits shall be made on forms furnished by the chief of police. Each application shall state the name and address of the person applying for such permit, a description of the vehicle to be used, the type and kind of sound-making or broadcasting device attached to the vehicle, and the license number of the vehicle, including any other information required by the chief of police.

(d) No such vehicle shall be operated while broadcasting at any time between the hours of nine p.m. and seven a.m.

(e) The chief of police shall promulgate rules and regulations pursuant to the provisions of HRS Chapter 91 for implementing and administering this section.

(f) The chief of police is authorized to deny any application for a permit which does not meet the conditions provided herein or in any rules and regulations promulgated by the chief. The chief shall also be authorized to suspend or revoke any permit issued hereunder for violations of any of the provisions of this section or rules and regulations promulgated by the chief. Before the chief of police can deny any application for a permit or suspend or revoke a permit, said chief shall first afford the applicant or permittee a hearing, as prescribed in HRS Chapter 91, and shall promulgate rules and regulations to establish procedures for such a hearing.

(Sec. 15-19.43, R.O. 1978 (1983 Ed.))

Article 20. Inspection of Motor Vehicles*

Sections:

15-20.1 Official inspection stations.
15-20.2 Inspection fees.

Sec. 15-20.1 Official inspection stations.

(a) Pursuant to the authority granted in HRS Section 286-27, the department of finance is designated as the department responsible for supervising the operation of official inspection stations according to standards prescribed by the state director of transportation.

(b) Application for such permit shall be made upon an official form and shall be granted only when the director of finance is satisfied that the station is properly equipped and has competent personnel to make such inspections and adjustments and will be properly conducted.

(c) No permit for an official inspection shall be issued without the following equipment: a headlight testing machine approved by the director of finance, and a wheel alignment gauge or tester also approved by the director of finance.

(d) 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 director of finance, a record and report shall be made of every inspection and every certificate issued therefor.

(e) Pursuant to HRS Section 286-28, the department of finance shall supervise and cause inspections to be made of official inspection stations. The department shall inspect each official inspection station at a frequency of not less than

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*Editor's Note: The inspection of motor vehicles shall be as prescribed in HRS Chapter 286, Sections 286-21 to 286-30.

once every two months. The department shall suspend, or revoke and require the surrender of, the permit issued to a station which it finds is not properly conducting inspections. The department shall maintain and post at its office lists of all stations holding permits and, of those, those whose permits have been suspended or revoked. Proceedings involving the suspension or revocation of permits shall be governed by the provisions of HRS Chapter 91.

(Sec. 15-20.1, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 96-58)

Sec. 15-20.2 Inspection fees.

(a) A fee of not more than nine dollars and 75 cents may be charged by the operator of an official inspection station for the inspection of motor vehicles other than a trailer or a motorcycle and the issuance of a certificate therefor as provided in Section 15-20.1 (d). A fee of not more than seven dollars and 75 cents may be charged by the operator of an official inspection station for the inspection of trailers and motorcycles. The director of finance shall collect from the operator of an official inspection station the sum of 50 cents from the above-charged fees. Twenty-five cents of the said 50 cents shall be for the left one-half of the sticker, designating the month of expiration of the inspection certificate; and 25 cents of the said 50 cents shall be for the right one-half of the sticker designating the year of expiration of the inspection certificate. The director of finance shall, in addition, collect from the operator of an official inspection station the sum of 50 cents from the above-charged fees which shall be expended for enforcement purposes only. It is the intent of this provision to set the fee for motor vehicle inspections as provided for in HRS Section 286-26 (e).

(b) A fee of not more than five dollars per 100 motor vehicle safety inspection applications will be charged to all official inspection stations and to anyone who is authorized to do official motor vehicle safety inspections. The cost of obtaining these forms may be added to the regular safety inspection fee.

(Sec. 15-20.2, R.O. 1978 (1987 Supp. to 1983 Ed.))

Article 21. Weight, Size and Load

Sections:

(15-21.1 Gross weight, axle and wheel loads. Repealed by Ord. 95-15.)
15-21.1 Reserved.
15-21.2 Limitation of weight and wear defined.
15-21.3 Projecting loads on passenger vehicles.
(15-21.4 Loads to be properly secured. Repealed by Ord. 95-15.)
15-21.4 Reserved.
15-21.5 Trailers and towed vehicles.
15-21.6 Police officers may weigh vehicles and require removal of excess loads.
15-21.7 Liability for damage to highway or structure.
15-21.8 Width and height of vehicles restricted.
15-21.9 Restricting the use of A.A. Wilson Bridge at Wahiawa.
15-21.10 Restricting the use of Tantalus Road by heavy vehicles.
15-21.11 Restricting the use of Kaneohe Bay Drive.
15-21.12 Permit to move equipment and/or load of excessive weight, width or height.
15-21.13 Regulations as to movement of loads of excessive width.
15-21.14 Restricting the use of a portion of Moanalua Highway by certain heavy vehicles.
15-21.15 Restricting the use of Ahuimanu Road by certain heavy vehicles.

(Sec. 15-21.1 Gross weight, axle and wheel loads. Repealed by Ord. 95-15.)

Sec. 15-21.1 Reserved.

Sec. 15-21.2 Limitation of weight and wear defined.

(a) 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 500 pounds upon any inch 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 tract, 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 director of transportation, department of transportation of the State of Hawaii, or the director's representative, in case of state highways, or from the director of transportation services, department of transportation services of the City and County of Honolulu, or the director's representative, in case of city and county highways.

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

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

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

Width of tire in inches	**Minimum thickness**
3 inches to 5 inches, inclusive	1
6 inches to 8 inches, inclusive	1¼
10 inches and over	1½

(e) 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 exceeds 15 percent, or when the variation in thickness on any part of the traction surface exceeds 15 percent, 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.

(Sec. 15-21.2, R.O. 1978 (1983 Ed.))

Sec. 15-21.3 Projecting loads on passenger vehicles.

No passenger-type vehicle shall be operated on any highway with any load thereon projecting beyond the extreme width of the vehicle, regardless of the nature of the property being transported. (Sec. 15-21.3, R.O. 1978 (1983 Ed.))

(Sec. 15-21.4 Loads to be properly secured. Repealed by Ord. 95-15.)

Sec. 15-21.4 Reserved.

Sec. 15-21.5 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 such 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.

(c) Trailers shall not be operated, permitted to be operated, caused to be operated or parked on public highways without the safety chain or chains (stay chain or cable) securely coupled to the motor vehicle to which it has been coupled for towing. The safety chain or chains shall not be coupled to the same coupling of the towing vehicle to which the tow bar is coupled. Each chain or cable and its accompanying coupling and mounting devices shall have an ultimate strength equal at least to the gross weight of the trailer. No more slack shall be left in the safety chain or cables than shall be necessary to permit proper turning. The safety chain or cable shall be so connected to the trailer and towing vehicle, and also to the tow bar so as to prevent the tow bar from dropping to the ground in the event the tow bar or coupling should fail.

(d) No asphalt kettle containing hot liquid asphalt shall be towed or otherwise moved upon the highway unless the kettle is no more than one-half full of liquid asphalt, the top has been securely fastened, and chunks of cold, hard asphalt have been added to the liquid asphalt in sufficient quantities to cool the asphalt to a semisolid state and minimize splashing. In no event shall an asphalt kettle be towed or moved along the public highway while the heating element is operating.

(Sec. 15-21.5, R.O. 1978 (1983 Ed.))

Sec. 15-21.6 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 two 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 article. 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 section, is deemed to have committed a violation.

(Sec. 15-21.6, R.O. 1978 (1983 Ed.); Am. Ord. 95-15)

Sec. 15-21.7 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 such 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 Section 15-21.12.

(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 such owner and driver shall be jointly and severally liable for any such damage.

(Sec. 15-21.7, R.O. 1978 (1983 Ed.))

Am. 7/2/01
Ord. 01-36

Sec. 15-21.8 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 13½ feet, shall be operated on any street or highway except under the provisions specified in this article. (Sec. 15-21.8, R.O. 1978 (1983 Ed.))

Sec. 15-21.9 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 15 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.

(Sec. 15-21.9, R.O. 1978 (1983 Ed.))

Sec. 15-21.10 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 eight tons in either direction over that part of Tantalus Road beginning from the mauka side of Papakolea Bridge to the junction of 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 such driver's duties, nor to a vehicle, the owner or operator of which has obtained from the director of transportation services of the City and County of Honolulu a permit authorizing the operation of such vehicle over the described road. The director of transportation services shall issue such a permit only when it appears to said director's satisfaction that an emergency exists necessitating the issuance of such a permit.

(Sec. 15-21.10, R.O. 1978 (1983 Ed.))

Sec. 15-21.11 Restricting the use of Kaneohe Bay Drive.

(a) No person shall drive any truck in either direction over Kaneohe Bay Drive, between Mikiola Drive and the junction with Kalaheo Avenue, when such truck with load weighs in excess of seven tons.

(b) The provisions of this section 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 such driver's duties, nor to a vehicle the owner or driver of which has obtained from the director of transportation services of the City and County of Honolulu a permit authorizing the operation of such vehicle over the above described drive. Said director of transportation services shall issue such a permit only when it appears to said director's satisfaction that an emergency exists necessitating the issuance of such a permit.

(Sec. 15-21.11, R.O. 1978 (1983 Ed.))

Sec. 15-21.12 Permit to move equipment and/or load of excessive weight, width or height.

(a) No vehicle, equipment or other object which does not meet the standards of weight, width or height or other requirements mentioned in Section 15-21.2 and Section 15-21.8, nor any load in excess of nine feet in width, exclusive of eaves or overhangs of less than three feet and having a clearance of 10 feet or more above the roadway, shall be moved, transported or caused to be moved or transported over any public highway or street by any person without a permit therefor issued by the director of transportation of the State of Hawaii or the director's

representative, whenever state highways are involved, and by the director of transportation services or the director's representative, whenever city and county highways are involved.

(b) All applications for permits required under this section shall be made in writing to the director of transportation and/or the director of transportation services of the city and county, as the case may be, and shall contain the following:
   (1) Description of the vehicle, equipment and/or load to be moved;
   (2) Street location or other identifying description of the place to which the same is to be moved;
   (3) Complete designation of the route to be followed;
   (4) Height, width and length of the same;
   (5) Times at which the movement of the same will commence and terminate;
   (6) Certified statement that the moving contractor has examined the route and determined that there will be a clearance of at least one foot on each side of the vehicle, equipment and/or load and any possible obstructions existing along such route.

(c) No permit shall be issued unless:
   (1) The applicant has secured and presents to the issuing officer all clearances required by any law, ordinance or regulations;
   (2) There is more than one foot clearance on each side of the vehicle, equipment and/or load along the route to be followed;
   (3) The issuing officer is satisfied that there are available sufficient pull out areas for use in case of delay or breakdown;
   (4) The applicant has obtained a permit from the joint pole committee where the vehicle, equipment and/or load, as loaded, exceeds 13 feet in height;
   (5) And in the case of loads of such excessive widths, the applicant has filed with the issuing officer a certificate of any insurance carrier certifying that there is a comprehensive automobile liability insurance policy covering said applicant, and the applicant's authorized agents, executors, administrators, heirs and assigns for liability in the minimum amount of $100,000.00 for bodily injury to or death of one person in any one accident, and in the amount of $300,000.00 for bodily injury to or death of two or more persons in any one accident, and in the amount of $50,000.00 because of damage to or destruction of property of others in any one accident.

(d) The director of transportation of the State of Hawaii and/or the director of transportation services of the City and County of Honolulu, as the case may be, may, in their

discretion, change and designate another route to be followed or the time during which the movement shall be made prior to the issuance of a permit.

(Sec. 15-21.12, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Sec. 15-21.13 Regulations as to movement of loads of excessive width.

(a) Such loads of excessive width shall be moved or transported only during the hours between one a.m. and six a.m.; except in certain rural areas the issuing officer may, in such officer's discretion, permit movements between the hours of 10 a.m. and three p.m. where traffic may be diverted over an alternate route and where the flow of traffic will not be unduly impeded by such movement; provided, however, such loads of less than 14 feet in width, exclusive of eaves or overhangs of three feet or less and having a clearance of 10 feet or more above the roadway, may be moved at any time except during the hours between six-thirty a.m. and eight-thirty a.m. and during the hours between three-thirty p.m. and five-thirty p.m.

(b) The maximum speed of movement of such loads shall be 25 miles per hour.

(c) When movements are permitted during daylight hours, such loads shall be marked at each corner by a red flag. An escort vehicle, displaying at least one red flag on each side at the front, shall precede such load. The flags herein referred to shall be not less than 16 inches square (256 square inches).

(d) When movements are made at night, such load shall be escorted by at least two escort vehicles, one of which shall precede the load and one of which shall follow the load. Such escort vehicles shall be equipped with at least one oscillating amber light on the top of the cab, or one blinking amber light at least six inches in diameter in the front of the front escort vehicle and one blinking amber light in the rear of the rear escort vehicle.

(e) The leading escort vehicle shall precede the load by not less than the distances shown on the following table. The speeds shown in the table represent the established speed limit for the street or highway on which the movement is taking place added to the speed at which the load is traveling.

COMBINED SPEED (M.P.H.)	MINIMUM DISTANCE FROM LOAD TO LEADING ESCORT VEHICLE
30	200
35	240
40	280
45	320
50	350
55	420
60	480
65	540
70	600

(f) When movements are made at night, such loads shall be lighted by at least one string of incandescent lamps spaced at a maximum of five feet on center around the entire load. At least one lamp in said string shall be located at each corner of the load. All such lamps shall be located not less than five feet from the roadway surface. In addition thereto, at least one lamp shall be placed or located at each corner and at the lowest point of the load. All lamps located at the corners of the load shall be red in color and not less than 100 watts each; all others may be red, white or amber in color and shall be not less than 50 watts each. Sufficient lanterns shall be provided of the colors specified for incandescent lamps to be used in the event of power failure or other similar emergency to ensure that the minimum lighting required by this traffic code is maintained at all times.

(g) The vehicle or tractor carrying, transporting or drawing such load at night shall be equipped with at least two flashing amber lights not less than six inches in diameter which shall be mounted on each side at the front of the vehicle or tractor, near the headlight but not in the same horizontal line therewith.

(h) If trailers are used in carrying or transporting such load at night, the lighting of such trailers shall be as specified in Section 15-19.5 (d).

(i) On movements of loads which require the adjustment of overhead facilities, the contractor shall provide at least two experienced workers on top of the structure to lift wires and perform other work as required to ensure the safe passage of the load under overhead obstructions without damage to the wires or obstructions. Such workers shall be provided with safety gloves and all other safety devices required by the state safety code.

(j) All military tactical movements shall be exempted from the provisions of this section.

(k) All agricultural equipment and implements of husbandry moved on public highways in the course of normal agricultural operations, and within the geographic area in which they are

normally used, shall be exempted from the provisions of this section.

(Sec. 15-21.13, R.O. 1978 (1983 Ed.))

Sec. 15-21.14 Restricting the use of a portion of Moanalua Highway by certain heavy vehicles.

No person shall drive or operate any vehicle, having a registered weight of 6,000 pounds or more, in the Honolulu direction on Moanalua Highway from the Halawa Stream Bridge to Red Hill Road in any lane but the extreme right lane during the hours of six-thirty a.m. to eight a.m., except when overtaking a stalled vehicle or preparatory to making a left turn.

(Sec. 15-21.14, R.O. 1978 (1983 Ed.))

Sec. 15-21.15 Restricting the use of Ahuimanu Road by certain heavy vehicles.

(a) No person shall drive any vehicle in either direction over Ahuimanu Road between Ahuimanu Place and Kamehameha Highway when such vehicle, with or without load, weighs in excess of 10 tons.

(b) The foregoing provision shall not apply to an authorized emergency vehicle while the driver is operating such vehicle in the necessary performance of such driver's duties, nor to a vehicle, the owner or operator of which has obtained from the director of transportation services of the City and County of Honolulu a permit authorizing the operation of such vehicle over the described road. The director of transportation services shall issue such a permit only when it appears to his or her satisfaction that an emergency exists necessitating the issuance of such a permit.

(Sec. 15-21.15, R.O. 1978 (1983 Ed.))

Article 22. Parking Meter Zones

Sections:

15-22.1 Parking meter zone.
15-22.2 Designation of parking meter spaces.
15-22.3 Acquisition, installation and operation of parking meters.
15-22.4 Parking time limits.
15-22.5 Placement of parking meters.
15-22.6 Method of parking.
15-22.7 Operation of parking meters.
15-22.8 Charge for enclosure or obstruction of parking meter spaces incidental to construction.
15-22.9 Collections.
15-22.10 Use of fund.
15-22.11 Violations.

Sec. 15-22.1 Parking meter zone.

(a) All streets, including those named, lying within an area, bounded and described in Schedule XXX attached to the ordinance codified in this section and made a part hereof shall constitute parking meter zones.*

(b) All other streets may be hereafter included, added and designated as parking meter zones by an ordinance, enacted by the city council of the City and County of Honolulu.

(c) All municipal parking areas shall constitute parking meter zones when they have been so designated by the city council of the City and County of Honolulu.

(Sec. 15-22.1, R.O. 1978 (1983 Ed.))

Sec. 15-22.2 Designation of parking meter spaces.

The director of transportation services is authorized and directed to establish, mark and designate individual parking meter spaces for the parking of a single vehicle therein in the parking meter zones designated and described in Section 15-22.1 and in such other zones as may hereafter be established, including the reservation of spaces for loading and unloading of commercial vehicles for which no parking meters shall be established, which spaces shall be marked and designated to extend in width eight feet from the curb or edge of the street towards the center of the street and extend in length a maximum of approximately 22 feet and a minimum length of approximately 18 feet along the curb or edge of the street. (Sec. 15-22.2, R.O. 1978 (1983 Ed.))

Sec. 15-22.3 Acquisition, installation and operation of parking meters.

The director of transportation services of the department of transportation services shall do all things necessary, as directed by the city council, in negotiating for and assisting the city council in a contract for purchase, rental, acquisition, payment, installation, maintenance and repair of parking meters and to provide for and supervise the installation, control, operation and use of parking meters provided for in this traffic code and to maintain said meters in good workable condition. (Sec. 15-22.3, R.O. 1978 (1983 Ed.))

Sec. 15-22.4 Parking time limits.

(a) Parking or standing a vehicle in a designated space in the downtown and civic center area (which is bounded by River Street to Vineyard Boulevard, then along Vineyard Boulevard to Punchbowl Street, then along Punchbowl Street to Beretania Street, then along Beretania Street to Alapai Street, then along Alapai Street to King Street, then along King Street to Punchbowl Street, and along Punchbowl Street

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*Editor's Note: See the listing of schedules at the beginning of this chapter.

to the waterfront), and the Waikiki and City Hall parking meter zones shall be lawful between the hours of seven a.m. and six p.m. unless otherwise provided by law on any day except Sundays and public holidays, upon deposit of the combination of the following coins of the United States of America in a one-dollar-per-hour zone: nickel coin for three minutes; dime coin for six minutes; quarter coin for 15 minutes; any combination of the coins equal to the sum of one dollar for 60 minutes or one hour. Provided, however, that with respect to those parking meter zones in areas other than those designated above the deposit of the following coins shall be required; nickel coin for six minutes; dime coin for 12 minutes; quarter coin for 30 minutes; and any combination of the above designated coins equal to the sum of 50 cents for 60 minutes or one hour. Each parking meter, when operated, shall indicate by its dial and pointer the duration of the period of legal parking, and upon the expiration of such period, shall indicate illegal or over parking.

(b) The director of the department of transportation services shall fix and indicate the time limitations for legal parking in such zones; and the hours during the day when the parking meter or meters must be used and when the time limitations for legal parking in such zones shall be effective, on the parking meter or meters and/or by appropriate sign or signs posted in proximity to such meter or meters in said zones.

(c) A special transit service vehicle may park or stand in a designated space without charge or necessity of depositing a coin in the adjacent meter when loading or unloading a mobility handicapped passenger; provided, that the vehicle shall not park or stand in the designated space:

(1) For more than 15 minutes; or

(2) During hours when parking in the designated space is prohibited.

(Sec. 15-22.4, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-58, 89-78)

Sec. 15-22.5 Placement of parking meters.

(a) The parking meters installed in the parking meter zones as established and provided for in Section 15-22.2 shall be placed upon the curb immediately adjacent to the individual parking spaces heretofore mentioned. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use.

(b) The director of transportation services may, upon request of the owner, tenant or occupant of the abutting property, remove or relocate any parking meter which obstructs or interferes with the construction of any authorized driveway or the construction of improvements on the abutting

property; provided, however, the person requesting the removal or relocation of the parking meter or meters shall reimburse the city for all costs incurred in the removal or relocation, including costs of labor, materials and equipment.
(Sec. 15-22.5, R.O. 1978 (1983 Ed.))

Sec. 15-22.6 Method of parking.
When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle is nearest to the parking meter; when a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.
(Sec. 15-22.6, R.O. 1978 (1983 Ed.))

Sec. 15-22.7 Operation of parking meters.
Except in a period of emergency determined by an officer of the fire or police department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle is parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering such parking meter space, immediately deposit or cause to be deposited in the meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon. The failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this section. Upon the deposit of such coin (and the setting of the timing mechanism in operation when so required) the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as such person's occupancy of the space does not exceed the indicated unused parking time. If such vehicle remains parked in any such parking space beyond the parking time limit set for such parking space, and if the meter indicates such illegal parking, then and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this traffic code. (Sec. 15-22.7, R.O. 1978 (1983 Ed.))

Sec. 15-22.8 Charge for enclosure or obstruction of parking meter spaces incidental to construction.

(a) Before any person (other than any governmental agency) encloses, obstructs or causes to be enclosed or obstructed any parking meter space or portion thereof, incidental to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting or demolishing any building or structure, such person shall pay to the department of transportation services of the City and County of Honolulu a sum calculated at the rate of two dollars for each such parking meter space for each day or fraction thereof, exclusive of Sundays and public holidays, on which such space shall be so enclosed or obstructed.

(b) No permit to enclose or obstruct any sidewalk or street area required under the "Rules and Regulations Governing the Use of Traffic Control Devices at Work Sites on or Adjacent to Public Streets and Highways" adopted by the state highway safety coordinator pursuant to HRS Section 286-8 on April 11, 1968 shall be issued by the director of transportation services of the City and County of Honolulu to any person to whom the foregoing provision is applicable until such person has made a deposit of the aforesaid sum, based on the estimated number of days during which the parking meter spaces shall be so enclosed or obstructed. Such person shall notify the department of transportation services immediately upon termination of such enclosure or obstruction.

(c) All moneys due and collected hereunder shall be deposited in the highway fund created by HRS Chapter 249, as amended. In the event there is a variance between the amount collected and the amount due, adjustment shall then be made by or with the department of transportation services.

(Sec. 15-22.8, R.O. 1978 (1983 Ed.))

Sec. 15-22.9 Collections.

It shall be the duty of the director of transportation services to designate some member or members in the transportation services department to make regular collections of the coins deposited in the parking meters. The person or persons so designated shall make a record in duplicate of the number shown registered on the coin counter of each parking meter whenever coins are removed therefrom. The coins so removed shall be taken, together with the duplicate copy of the record above mentioned, to the city treasury for count by the chief of treasury and deposit into the highway fund, created by HRS Chapter 249, as amended. (Sec. 15-22.9, R.O. 1978 (1983 Ed.))

Sec. 15-22.10 Use of fund.

In addition to other authorized purposes, the moneys in the highway fund created by HRS Chapter 249, as amended, shall be used for supervising, controlling and regulating parking of

vehicles in the parking zones created hereby; for the purchase, rental, acquisition, supervision, protection, inspection, installation, operation, maintenance, control, regulation, collection and use of the parking meters described herein, of off-street parking spaces, and of other facilities and properties for parking purposes; and for purposes and functions of traffic control and safety upon the highways and streets in the City and County of Honolulu. (Sec. 15-22.10, R.O. 1978 (1983 Ed.))

Sec. 15-22.11 Violations.

No person shall violate the following provisions:

(a) Cause, allow, permit or suffer any vehicle registered in the name of, or operated by, such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as herein described;

(b) Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space. A special transit service vehicle shall not be deemed in violation of this subsection when loading or unloading a mobility handicapped passenger as long as the parking space is not occupied for more than 15 minutes;

(c) Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle is not entirely within the area designated by such lines or markings;

(d) Deface, injure, tamper with, open or wilfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this traffic code;

(e) Deposit or cause to be deposited in any parking meter any slug, device or metal substance, or other substitute for lawful United States coins;

(f) Deposit or cause to be deposited in a parking meter a coin or coins for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time, or fraction thereof, which has been established for the parking space adjacent to which such parking meter is placed;

(g) Fail to pay the charges as required under Section 15-22.8;

(h) Permit any special transit service vehicle to remain in a parking space without charge for more than 15 minutes or during hours when parking is prohibited, even if loading or unloading a mobility handicapped passenger;

(i) Permit any vehicle to be or remain parked in a tow zone during tow zone hours, unless the parking is permitted under and in compliance with Section 15-14.8.

(Sec. 15-22.11, R.O. 1978 (1983 Ed.); Am. Ord. 89-58, 90-77)

Article 23. Off-Street Parking

Sections:

15-23.1 Designation and allocation of parking meter spaces or parking spaces.
15-23.2 Metered parking facilities.
15-23.2A Attendant parking facilities.
15-23.2B Unclaimed vehicles.
15-23.2C Special transit service vehicles.
15-23.2D Review and amendment of parking rates and terms.
15-23.3 Business hours.
15-23.4 Signs.
15-23.5 Use of revenues.
15-23.6 Violations.
15-23.7 Permitted commercial use of public off-street parking facilities by the city-sponsored People's Open Market.

Sec. 15-23.1 Designation and allocation of parking meter spaces or parking spaces.

The director of transportation services is authorized and directed to establish, mark and designate individual parking meter spaces or individual parking spaces for the parking of a single vehicle therein of appropriate size in public off-street parking facilities. In all facilities where public monthly parking is authorized, the director shall allocate to vehicles displaying a valid carpool parking program permit an appropriate number of designated carpool parking spaces at preferential locations, provided that such designated carpool spaces shall not be to the detriment of daytime, short-term parkers and disabled persons parking. For any off-street parking facility under the director's control or supervision, the director shall give priority on any waiting list for permits for monthly parking spaces to vehicles with valid carpool parking program permits.

(Sec. 15-23.1, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 94-61)

Sec. 15-23.2 Metered parking facilities.

The following time limits, parking fees, and other regulations shall be applicable to the parking facilities listed:

Facility	Parking Limit (No. of Hours)	Fee Rate	Special Hours	Other
Bishop-Kukui (Area 2)	3	$1.00/Hour		
Beretania-Smith	3	$1.00/Hour		
Kuhio-Kaiolu	5	$1.00/Hour		
City Hall-Pawaa Annex	1	$1.00/Hour	Monday-Friday 7:30 a.m.-4:30 p.m., except holidays.	
Kailua	5 and 3	$.50/Hour		Director of transportation services to designate areas and post time limits on meters or signs.
Kaimuki 1 (12th Ave/11th Ave)	5 and 3	$.50/Hour		Director of transportation services to designate areas and post time limits on meters or signs.
Kaimuki 2 (Koko Head Ave/ 12th Ave)	5 and 3	$.50/Hour		Director of transportation services to designate areas and post time limits on meters or signs.
Civic Center	3	$1.00/Hour		
Alapai	2	$1.00/Hour		
Maunakea-Vineyard	2	$1.00/Hour		
Salt Lake	2 12 (max.)	$.25/2 Hours $.10/Hour		Time limits, not to exceed the maximum, to be fixed by director of transportation services and posted on meters or signs.
Palace Square	1/2	$.50/Half-hour		
Harbor Village (River-Nimitz)	2	$1.00/Hour		

(Sec. 15-23.2, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-48, 89-58, 89-78, 90-98, 91-13, 91-72, 92-24; Added by Ord. 94-61; Am. Ord. 97-06)

Sec. 15-23.2A Attendant parking facilities.*

(a) The following time limits, parking fees, and other regulations shall be applicable to the parking facilities listed:

Facility	Primary Period Hours/Rates	Secondary Period Hours/Rates	Public Monthly Rate	Lost Ticket Charge	Business Validation	Other
Alii Place (Alakea-Richards: Area 4a)	Monday-Friday 6 a.m.-5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$155.00	$21.00	At primary rates, as may be adjusted.	Carpool parking program authorized. Early bird all-day parking authorized.
Harbor Court (Kaahumanu: Area 6)	Monday-Friday 6 a.m.-5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$140.00	$21.00	At primary rates, as may be adjusted.	Carpool parking program authorized. Early bird all-day parking authorized.
Marin Tower (Maunakea-Smith: Area 3)	Monday-Friday 6 a.m.-5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$125.00	$21.00	At primary rates, as may be adjusted.	Carpool parking program authorized. Early bird all-day parking authorized. Commercial tenant rate: $125/month. Low-moderate income residential rate: $40/month. Gap group income residential rate: $60/month. Market residential rate: $80/month.
Kukui Plaza	Monday-Friday, except holidays 6 a.m.- 5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$100.00	$21.00	At primary rates, as may be adjusted.	Carpool parking program authorized. Early bird all-day parking authorized. Low-moderate income resident rate: $40/month.

*Editor's Note: Pursuant to Section 5 of Ordinance 94-61, the director of transportation services shall implement the carpool parking program in public off-street parking facilities established in the ordinance no later than March 15, 1995.

Facility	Primary Period Hours/Rates	Secondary Period Hours/Rates	Public Monthly Rate	Lost Ticket Charge	Business Validation	Other
Hale Pauahi	Monday-Friday except holidays 6 a.m.-5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$90.00	$21.00	At primary rates, as may be adjusted.	Carpool parking program authorized. Early bird all-day parking authorized. Commercial tenant rate: $90/month. Below-market unit resident rate: $40/month. Market unit resident rate: $60/month. River-Pauahi resident rate: $40/month. Pauahi Kupuna Hale resident rate: $10/month.
Harbor Village (River-Nimitz)						Commercial tenant rate: $150/month. Low-moderate income resident rate: $40/month. Gap group income resident rate: $60/month. Market unit resident rate: $80/month. Residential stalls may be reallocated to other residential tenants at the specified rates.
Chinatown Gateway Plaza (Bethel-Hotel)	Monday-Friday 6 a.m.- 5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$150.00	$21.00	At primary rates, as may be adjusted	Carpool parking program authorized. Early bird all-day parking authorized. Commercial tenant rate: $150/month. Low-moderate income resident rate: $40/month. Gap group income resident rate: $60/month. Market unit resident rate: $80/month.

Facility	Primary Period Hours/Rates	Secondary Period Hours/Rates	Public Monthly Rate	Lost Ticket Charge	Business Validation	Other
Kekaulike Courtyards (Kekaulike Area 7)	Monday-Friday except holidays 6 a.m.-5 p.m. $.50/half-hour first 2 hours, $1.00/half-hour thereafter	Monday-Friday 5 p.m.-midnight, Sat., Sun., holidays 6 a.m.-midnight $.25/half-hour, maximum $2.00	$125.00	$21.00	At primary rates, as may be adjusted	Carpool parking program authorized. Early bird all-day parking authorized. Commercial tenant rate: $125/month. Low-moderate income resident rate: $40/month. Gap group income resident rate: $60/month. Market unit resident rate: $80/month.

(b) The director of transportation services shall determine the occupancy rate of the facilities listed in this section on a semiannual basis. If the occupancy rate equals or exceeds 90 percent of the facility's capacity, the primary and secondary parking rates shall be increased by 10 cents per half-hour for the first two hours, and 20 cents per half-hour thereafter, provided that in no event shall the rates exceed two dollars per hour for the first two hours and three dollars per hour thereafter. If the occupancy rate decreases by 20 percent over the occupancy rate for the immediately preceding period of six months, the primary and secondary parking rates shall be decreased by 10 cents per half-hour for the first two hours and 20 cents per half-hour thereafter, provided that in no event shall the rates be reduced below the rates specified in subsection (a).
For the purposes of this subsection, "occupancy rate" shall mean the ratio, over a given time period, between the portion of the time vehicles were parked in a facility's parking spaces versus the total available space hours.
Any change in the rates shall become effective 30 days after its establishment by the director. At least seven days prior to the effective date, the director shall post a notice of the change at the affected parking facility.

(c) The director of transportation services shall designate appropriate portions of each facility listed in subsection (a) for the parking, free of charge, of bicycles, motorcycles, motor scooters, and mopeds, as defined in HRS Section 291C-1.

(d) The director of transportation services may establish a carpool parking program where authorized in subsection (a) and set monthly carpool parking rates which shall be no more than 70 percent of the public monthly rate established for each facility. In any facility where monthly carpool parking is authorized by this section, no less than

50 percent of spaces set aside for the public monthly parking program shall be allocated for the carpool parking program; provided that the director may reduce the percent of carpool parking stalls upon the director's findings that the demand for such spaces is less than 50 percent. Carpool spaces shall be in preferential locations and a valid carpool parking program permit shall be required for all vehicles parked in the designated carpool parking spaces or paying carpool parking rates.

(e) The director of transportation services may establish an all-day early bird parking program where authorized in subsection (a) and set the all-day fee to be charged therefor; provided that in no event shall the early bird parking program be implemented to the detriment of daytime, short-term parkers nor shall such programs be implemented at any facility unless carpool spaces have been designated and offered at reduced parking rates as required in subsection (d). In any facility that the director of transportation services implements all-day early bird parking, the director shall offer all-day early bird carpool parking at a reduced rate which shall be no more than 70 percent of the daily all-day rate.

(f) Commercial tenants and residents of city projects applying for authorization to use designated parking stalls therein shall be certified by the department of housing and community development. Where authorized in subsection (a), business validation shall be for downtown businesses only.

(Added by Ord. 94-61; Am. Ord. 97-06)

Sec. 15-23.2B Unclaimed vehicles.

When any vehicle not belonging to a commercial or residential tenant is not called for at closing time, such vehicle shall not be delivered to the owner or driver thereof until such time as the parking facility is again open for business and a charge of one dollar, together with the charges hereinabove specified remaining unpaid, shall have been paid by such owner or driver. Further, should the owner or driver fail to claim or call for such vehicle within 24 hours after the parking facility is again open for business, the chief of police shall remove or cause to be removed such vehicle from the parking facility, and the owner or driver thereof shall be liable for all reasonable expenses incurred by such removal, as well as the charges herein specified. In no event shall the City and County of Honolulu be responsible for any claim by reason of loss, theft or conversion of, or for any damage or injury to, a vehicle parked in the parking facility. (Added by Ord. 94-61)

Sec. 15-23.2C Special transit service vehicles.

When a special transit service vehicle parks in a public off-street parking facility to load or unload a mobility handicapped passenger, there shall be no charge for the first

15 minutes; provided that the waiver of charge shall not be applicable when a concession agreement applicable to the public off-street parking facility prohibits the waiver. (Added by Ord. 94-61)

Sec. 15-23.2D Review and amendment of parking rates and terms.

Every three years beginning no later than July 1, 1995, the director of transportation services shall review the rates charged and applicable parking terms of all municipal off-street parking facilities as to their consistency with city transportation policies, appropriateness with respect to adjacent land uses, and comparability with private parking rates. The director shall prepare and submit to the city council for its consideration any recommended amendments to the prevailing parking rates and applicable terms in the form of a bill for an ordinance. (Added by Ord. 94-61)

Sec. 15-23.3 Business hours.

Except as otherwise specifically provided, all public off-street parking facilities shall be open for business seven days per week, 24 hours per day. Notwithstanding the foregoing provisions, whenever any special event or occurrence shall require extra parking spaces in the downtown area, the director of transportation services is authorized to extend the business hours of any "Class D" and "Class F" facility, including opening for business on any Sunday or holiday. (Sec. 15-23.3, R.O. 1978 (1983 Ed.))

Sec. 15-23.4 Signs.

Appropriate signs indicating the parking charges, as well as the hours that such facility is open for business, shall be installed and maintained at each public off-street parking facility. (Sec. 15-23.4, R.O. 1978 (1983 Ed.))

Sec. 15-23.5 Use of revenues.

(a) All revenues derived from the operation and use of the public off-street parking facilities, other than the River-Nimitz, Bethel-Hotel (Chinatown Gateway Plaza) and Hale Pauahi parking facilities, shall be collected and deposited as prescribed in Section 15-22.9, and such revenues shall be used as prescribed in Section 15-22.10.

(b) All revenues dervied from the operation and use of the River-Nimitz and Bethel-Hotel (Chinatown Gateway Plaza) parking facilities shall be deposited into the housing development special fund. Such revenues may also be used to provide for all expenses of operation, maintenance, improvement and betterment of the facilities.

(c) All revenues derived from the operation and use of the Hale Pauahi parking facility shall be deposited into the rental assistance fund as prescribed in Section 6-45.2.

(Sec. 15-23.5, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 91-13)

Sec. 15-23.6 Violations.

No person shall violate the following provisions:

(a) Refuse or fail to pay the parking charges specified in Section 15-23.2;

(b) Park any vehicle, except one which is not called for at closing time, in a public off-street parking facility when not open for business;

(c) Park any vehicle across any line or marking of a parking space or in such position that the vehicle is not entirely within the area designated by such lines or markings;

(d) Tamper with or damage any vehicle other than the person's own parked in a public off-street parking facility;

(e) Park any vehicle for the purpose of washing, cleaning, greasing or repairing such vehicle, except repairs necessitated by an emergency;

(f) Except as provided in Section 15-23.7, display for sale, or sell, goods or merchandise;

(g) Travel at a speed in excess of 10 miles per hour;

(h) Disregard any official direction, instruction or restriction indicated by or on official signs posted therein.

(Sec. 15-23.6, R.O. 1978 (1983 Ed.); Am. Ord. 90-77, 92-121)

Sec. 15-23.7 Permitted commercial use of public off-street parking facilities by the city-sponsored People's Open Market Program.

(a) The department of transportation services may issue a permit, at no cost, to the department of parks and recreation to conduct the People's Open Market program in those municipal off-street surface parking facilities located in residential neighborhoods not zoned for business, commercial, or industrial use, under the following guidelines:

(1) No one facility may be used more frequently than once a week;

(2) The facility may be used for no more than four hours on any one day and may only be used between the hours of eight a.m. and four p.m.;

(3) The department must first find that the facility is one which generally has space available during the hours for which the permit is issued and that the public off-street parking needs of the surrounding residential

community will not be adversely affected by issuance of the permit; and

(4) The persons in charge of the People's Open Market program shall ensure that the facility is left in a clean and sanitary condition following its use.

(b) The permit shall state the day(s) and hour(s) during which it is in effect and may include other reasonable conditions and restrictions on the People's Open Market use permitted in subsection (a).

(c) The permits may be issued on a per-use, a per-month, a biennial, or an annual basis.

(Added by Ord. 92-121)

Article 24. Miscellaneous Provisions

Sections:

15-24.1 Tampering with vehicle.
15-24.2 Putting glass or other injurious substances on a highway.
15-24.3 Tracking mud onto the highway.
15-24.4 Driving through funeral or other processions.
15-24.5 Unlawful riding.
15-24.6 Obstruction of intersection.
(15-24.7 Warning signs required for the protection of workers on the highway. Repealed by Ord. 95-15.)
15-24.7 Reserved.
15-24.8 Restricting animals and livestock on highways.
(15-24.9 Operating a vehicle while under the influence of intoxicating liquor. Repealed by Ord. 95-15.)
15-24.9 Reserved.
15-24.10 Parking for disabled persons.
15-24.11 Off-street parking for disabled persons at City Hall.
15-24.12 Attention to driving.
15-24.13 Restrictions on federal-aid highways.
15-24.14 Transportation of explosives through tunnels.
15-24.15 Restrictions on freeways.
15-24.16 Restriction of motorized vehicles on pedestrian overpass or underpass.
15-24.17 Miscellaneous traffic controls.
15-24.18 Anti-speed bumps.
15-24.19 Slow-moving vehicles—Requirement of emblems.
15-24.20 Parades.
15-24.21 Permits for special transit service vehicles.
15-24.22 Carrying animal in vehicle.

Sec. 15-24.1 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 is in motion or at rest. The following persons shall not be deemed in violation of this subsection:

(1) A police officer, when authorizing the entering or opening of a motor vehicle and silencing of an alarm system, as provided under Section 41-29.7; and

(2) An owner, operator or employee of a tow service, when entering or opening a motor vehicle and silencing an alarm system under the authorization of a police officer, as provided under Section 41-29.7.

(b) No person, without the consent of the owner or person in charge of a standing unattended vehicle, shall manipulate any of the levers, 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 the operator's vehicle from a parking location. Persons authorized by Sections 15-13.8, 15-13.9, and 41-29.6 are excepted from this provision.

(Sec. 15-24.1, R.O. 1978 (1983 Ed.); Am. Ord. 90-3, 96-58)

Sec. 15-24.2 Putting glass or other injurious substances on a highway. Am. 4/19/01 Ord. 01-17

(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.

(Sec. 15-24.2, R.O. 1978 (1983 Ed.))

Sec. 15-24.3 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 such mud or dirt removed as quickly as possible. (Sec. 15-24.3, R.O. 1978 (1983 Ed.))

Sec. 15-24.4 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 apply at intersections where traffic is controlled by traffic control signals or by police officers. When the lead car of

any funeral or other procession has entered any intersection, notwithstanding the light conditions at those intersections controlled by signal devices, then all other traffic shall yield the right-of-way to all vehicles comprising such funeral or other procession until it has passed through the intersection. The foregoing provisions of this section shall apply only to such funeral or other processions moving under police escort.

(b) No funeral procession shall be permitted during the hours of six-thirty to eight-thirty a.m. and three-thirty to five-thirty p.m., Monday through Friday, except holidays.

(c) A funeral procession composed of any number of vehicles shall be identified as such by the conspicuous display on the top center of each vehicle of a device not less than eight inches long and four inches high, predominantly black or violet in color with the word "Funeral" imprinted on each side thereof in letters no less than one and one-quarter inches in height, and the display on the top center of both the lead vehicle and the end vehicle of a flashing amber light having a minimum diameter of six inches. Such devices and the lights shall be fastened to the vehicles by means of magnets or suction cups. While in the procession each driver shall turn on the head lamps of his or her vehicle as further identification.

(Sec. 15-24.4, R.O. 1978 (1983 Ed.))

Sec. 15-24.5 Unlawful riding.

(a) Except as otherwise provided in subsection (b), no person shall ride on any vehicle or any portion of a vehicle nor shall the operator of any vehicle permit any person to ride on any vehicle or any portion of a vehicle not designed or intended for the use of passengers.

(b) Persons may ride or be permitted by the vehicle operator to ride in a vehicle or portion of a vehicle not designed or intended for the use of passengers under the following circumstances:

(1) When riding within a trailer in a space intended for merchandise;

(2) When engaging in the necessary discharge of an employment duty; or

(3) When riding in the bed or load-carrying area of a truck;

provided, that persons riding in the bed or load-carrying area of a pickup truck shall be subject to HRS Section 291-14, whether or not engaging in the necessary discharge of an employment duty.

(Sec. 15-24.5, R.O. 1978 (1983 Ed.); Am. Ord. 89-130)

Sec. 15-24.6 Obstruction of intersection.

(a) No wall, fence, sign, hedge, tree, shrubbery or other similar structure or plant growth, or any part thereof, that

is more than three feet above the nearest edge of the abutting roadway shall be erected, planted or maintained at the corner of any street intersection within the area of a triangle, the apex of which is at the intersections of the property lines at such corner, and consisting of two sides each extending 30 feet from such apex along the respective property lines and the third side being a straight line connecting the respective end points of the two sides; provided, however, that the height of any such wall, fence, sign, hedge, tree, shrubbery or similar structure or plant growth, subject to any height limitation imposed by any law, ordinance or regulation, may exceed three feet upon determination by the director of transportation services that the same does not obstruct vision or constitute a traffic hazard.

(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.

(Sec. 15-24.6, R.O. 1978 (1983 Ed.))

(Sec. 15-24.7 Warning signs required for the protection of workers on the highway. Repealed by Ord. 95-15.)

Sec. 15-24.7 Reserved.

Sec. 15-24.8 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.

(Sec. 15-24.9, R.O. 1978 (1983 Ed.))

(Sec. 15-24.9 Operating a vehicle while under the influence of intoxicating liquor. Repealed by Ord. 95-15.)

Sec. 15-24.9 Reserved.

Sec. 15-24.10 Parking for disabled persons.

(a) Application for and Issuance of Identification Cards, Placards, and Special License Plates. The following provisions shall govern applications for and issuance of

identification cards, placards, and special license plates to disabled persons:

(1) In order to be considered for issuance of an identification card, a placard, or special license plates, an applicant shall present a completed application form, with a completed certificate of disability section, to the director of transportation services. This form shall be provided to applicants by the department of transportation services. To the extent required by HAR Sections 19-150-4 and 19-150-6, the applicant shall also present proof of being the person named on the application form and proof of being a legal resident of the State of Hawaii.

(2) If, upon review of the application and certificate of disability, the director of transportation services determines that the applicant is a disabled person and has otherwise submitted a valid application, the director shall approve the application and, upon receiving payment of the application fee prescribed in subdivision (7), shall issue to the applicant one identification card, and upon request of the applicant, one placard of the appropriate type. Upon request and payment of the fee prescribed in subdivision (7), the director of transportation services shall issue to any applicant, who does not have special license plates, one additional placard of the appropriate type.

(3) Any person who has a disabled identification card and disabled parking placard issued by the city, which is valid and effective on the effective date of the ordinance amending this section, may be issued, upon application and payment of the application fee prescribed in subdivision (7), a new placard, a new identification card, and special license plates without submitting a new certificate of disability if such person qualifies as a "disabled person" as defined in Section 15-2.18.

For the purposes of this subdivision, a valid and effective disabled parking placard or disabled identification card issued by another county of the State of Hawaii shall be deemed a disabled parking placard or disabled identification card, whichever is appropriate, issued pursuant to this section.

(4) Any person whose certificate of disability indicates that the person is permanently disabled and whose application pursuant to this section has been approved by the director of transportation services, upon request to the director of finance and subject to the payment of all applicable taxes, fees and other charges including the fee for numbered plates, shall be issued special license plates by the director of finance for a

vehicle registered in the person's name and used primarily to transport the person.

(5) Identification cards and placards, except temporary identification cards and placards, shall be valid for the period of time indicated on the identification card and placard, which period of time shall be either four years from the date of issuance or the period of time for which the physician furnishing the certificate of disability has determined that the applicant will have the disability, whichever is less. Whenever a certificate of disability indicates that a person is a disabled person but is not anticipated to be permanently disabled, the temporarily disabled person shall be issued a temporary placard and a temporary identification card, upon payment of the application fee prescribed in subdivision (7), in lieu of a regular placard and a regular identification card. Temporary placards and temporary identification cards shall be valid for the period of time indicated on the placard and identification card, which period of time shall be either six months from the date of issuance of the certificate of disability or the period of time for which the physician furnishing the certificate of disability has determined that the applicant will have the disability, whichever is less. A temporary placard and temporary identification card may be renewed, upon payment of the fees prescribed in subdivision (7), for additional periods of up to six months so long as the person to whom they were issued continues to qualify as a disabled person. The department of transportation services shall require the applicant for renewal of a temporary placard and temporary identification card to present a supplemental certificate of disability.

(6) The application and review requirements and fees for renewal or replacement of identification cards, placards and special license plates shall be identical to those governing the initial application; provided that a new certificate of disability shall not be required if the disabled person has once been certified as being permanently disabled.

(7) The application fee for the issuance or renewal of a regular or temporary identification card, with or without either one regular or temporary placard or special license plates or both special license plates and a regular placard, shall be $10.00. The fee for an additional regular or temporary placard, to supplement the initial placard, shall be $10.00. The application fee for replacement of a placard or identification card, or both, in the event of theft, loss or mutilation, shall be $10.00. Fees and charges for replacement of special license plates shall be the same

as the fees and charges for replacement of regular license plates. The expiration date of the replacement shall be the same as the expiration date of the original identification card, placard or special license plates.

(8) The placards and special license plates issued pursuant to this section shall be in such form as is prescribed by the state law and rules.

(b) Parking Privilege, Metered Parking Spaces, Conditions. Notwithstanding any other provision of this traffic code relating to the parking of motor vehicles, any vehicle displaying special license plates or a placard shall be permitted, and only such vehicles shall be permitted, to park or stand in any public or private parking space designated as a parking space reserved for parking for disabled persons, subject to applicable requirements of the space and the requirements and limitations of the state law and rules and this section. Such a vehicle shall be permitted to park or stand in a public metered parking space, in any publicly owned parking space in an unmetered lot, or in a publicly owned metered parking lot, without the payment of parking meter fees or other parking fees, to the extent provided for in HAR Section 19-150-9, when it is otherwise lawful to do so.

The parking and standing privileges provided in this section shall not apply to any vehicle:

(1) Parked or standing in a zone in which the stopping, standing, or parking of all vehicles is prohibited or in a zone which is reserved for special types of vehicles;

(2) Left unattended for more than 24 hours; or

(3) Defined as a nonconforming vehicle pursuant to the standards of the department of finance, City and County of Honolulu.

(c) City Parking Spaces Reserved for Disabled Persons.

(1) The head of any department or agency of the city may designate parking spaces reserved for disabled persons on property within the jurisdiction of the department or agency, which spaces shall be designed and constructed in accordance with applicable standards and identified in accordance with standards adopted by the department of transportation services. Where not in conflict with a contract, such spaces may be designated despite the property being temporarily within the control of a concessionaire. Signs shall be installed with a notice, in conformance with HRS Section 290-11, that vehicles illegally parked or standing in such parking spaces shall be subject to towing.

(2) Use of parking spaces designated pursuant to subdivision (1) shall be subject to the requirements

and limitations of the state law and rules and this section.

(3) No motor vehicle may be parked in or caused to stand in a parking space reserved for disabled persons under this subsection except as permitted in this subsection.

(4) Any motor vehicle which is parked or standing in a parking space reserved for disabled persons under this subsection in violation of the state law or rules or this section may be removed from the parking space and towed to a parking garage or other place of safety. The expense incurred in the removal and towing of such vehicle shall be borne by the registered owner of the vehicle.

(d) Suspension or Revocation of Identification Card, Placards or Special License Plates.

(1) A disabled person's violation of or noncompliance with any provision of the state law or rules or this section shall constitute sufficient grounds for the immediate suspension of that person's identification card, placards, and/or special license plates by the director of transportation services for a period not exceeding six months, or for the revocation by the director of transportation services of that person's identification card, placards, and/or special license plates for a period of not less than one year.

(2) In addition to revocation on the grounds specified in HAR Section 19-150-12, the director of transportation services shall revoke the identification card, placards, and/or special license plates of any person who never was or no longer is a disabled person.

(3) In the case of any suspension or revocation pursuant to this subsection, the person to whom the identification card and placards were issued shall return them to the director of transportation services, and shall return the special license plates to the director of finance; provided that nothing contained herein shall be construed as relieving that person of the obligation to return the identification card, placards, and/or special license plates under the circumstances prescribed in the state law or rules, even though there may not have been a prior suspension or revocation.

(4) Prior to the suspension or revocation of an identification card, a placard or special license plates, the director of transportation services shall give the person whose identification card or placard is, or whose special license plates are, proposed to be suspended or revoked 15 days' notice of the proposed suspension or revocation, stating the reasons therefor. Such notice shall be sufficient if mailed to the address stated upon the latest application submitted by the person to the director of transportation services

under subsection (a). The person may demand a hearing on the proposed suspension or revocation at any time prior to the suspension or revocation by making a written demand therefor to the director of transportation services. Upon receiving the demand, the director of transportation services shall schedule a hearing on the proposed suspension or revocation before a hearings officer to be designated by the director of transportation services. Notice of the hearing shall be given to the person at least 15 days prior to the scheduled hearing by registered or certified mail with return receipt requested. The notice of hearing shall be sufficient if mailed to the address to which the notice of suspension or revocation was mailed, unless the person requests in writing that the notice be mailed elsewhere. Pending the hearing, if demand for a hearing has been made, the identification card, placards and special license plates shall not be suspended or revoked. The hearings officer shall determine at the hearing whether there exists good cause under the state law or rules or under subdivision (1) or (2) for the proposed suspension or revocation, and shall issue an order either suspending or revoking the person's identification card, placards, and/or special license plates for a specified period or prohibiting such suspension or revocation. The hearing provided herein shall be a contested case hearing and the notice of, procedure for, and appeal from the hearing and order shall be as provided in HRS Chapter 91.

(e) Penalties.

(1) Any person who parks a vehicle or causes it to stand or be parked in a parking space reserved for disabled persons other than in connection with the transportation of a disabled person holding a valid placard or special license plates, including a vehicle displaying a placard or special license plates, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(2) Any person who uses an identification card, placard or special license plates issued under this section to take advantage of the parking privileges afforded by the state law or rules or this section knowing that he or she is not entitled to such privileges, or any disabled person who knowingly permits another to use the disabled person's identification card, placard or special license plates, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(3) Any person who parks a vehicle or causes it to stand or be parked in a parking space reserved for disabled persons in connection with the transportation of a

disabled person holding a valid placard or special license plates, but who fails to have the placard or special license plates properly displayed or who fails to park such vehicle completely within the designated space or who parks beyond the posted time limitation for the space or beyond 24 hours where there is no posted time limitation for the space or who fails to comply with any other posted limitations of the space, shall be subject to a fine of not less than $50.00 nor more than $250.00.

(4) Any person who parks a vehicle or causes it to stand or be parked in an on-street or off-street metered parking space or in an off-street unmetered parking lot in connection with the transportation of a disabled person holding a valid placard or special license plates without payment of the required fees as authorized by the state law or rules or this section, but who fails to have the placard or special license plates properly displayed or who fails to park such vehicle completely within the designated space or who fails to comply with any posted limitations of the space other than time limitations, shall be subject to a fine of not less than $50.00 nor more than $250.00; provided that, where vehicles are not parked completely within the designated space in areas covered by Section 15-13.3 or 15-23.6, the penalties provided for in those sections shall apply in lieu of the penalty provided in this subdivision.

(5) Any person who parks a vehicle or causes it to stand or be parked in an on-street or off-street metered parking space in connection with the transportation of a disabled person holding a valid placard or special license plates without payment of the required fees as authorized by the state law or rules or this section, but who parks beyond two-and-a-half hours or the maximum amount of time the meter allows, whichever is longer, shall be subject to the applicable fine for an expired meter.

(6) Any person who uses an identification card, placard or special license plates issued under this section, knowing that the identification card, placard or special license plates is or are expired or has or have been suspended or revoked, to park a vehicle or cause it to stand or be parked in a parking space reserved for disabled persons or to park a vehicle or cause it to stand or be parked in a metered or unmetered parking space without payment of the required fees, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(7) Any person who uses an identification card, placard or special license plates, knowing that the identification

card, placard or special license plates which is or are facsimiles of an identification card, placard or special license plates issued under this section or which has or have been lost or stolen, to park a vehicle or cause it to stand or be parked in a parking space reserved for disabled persons or to park a vehicle or cause it to stand or be parked in a metered or unmetered parking space without payment of the required fees, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(8) Any person who uses an identification card, placard or special license plates issued under this section, knowing that the person is no longer entitled to use such identification card, placard or special license plates, to park a vehicle or cause it to stand or be parked in a parking space reserved for disabled persons or to park a vehicle or cause it to stand or be parked in a metered or unmetered parking space without payment of the required fees, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(9) Any disabled person who refuses or fails to present an identification card issued under this section to an enforcement officer upon request, in connection with a vehicle that is or was parked or standing in a parking space reserved for disabled persons or in an unmetered parking space without payment of the required fees, shall be subject to a fine of not less than $100.00 nor more than $500.00.

(10) Any disabled person who refuses or fails to present an identification card issued under this section to an enforcement officer upon request, in connection with a vehicle that is or was parked or standing in a metered parking space without payment of the required fees, shall be subject to the applicable fine for an expired meter.

(11) Any person violating any other provision of the state law or rules or this section, in connection with a vehicle that is or was parked or standing in a parking space reserved for disabled persons or in a metered or unmetered parking space without payment of the required fees, shall be subject to a fine of not less than $50.00 nor more than $250.00.

(12) For purposes of this subsection, a person who causes a vehicle to stand or to be parked includes, in the case of a vehicle transporting a disabled person, both the operator of the vehicle and the disabled person.

(13) The penalties provided in this subsection shall be in addition to the towing and suspension or revocation provisions of the state law or rules or this section and any other penalties provided by law.

(f) Reciprocity. The city shall recognize removable windshield placards, temporary removable windshield placards, and special license plates which are valid and current, and which have been issued by authorities of other states and countries, for the purpose of identifying vehicles to which the parking and standing privileges are extended under subsection (b).

(g) Rules. In accordance with HRS Chapter 91, the director of transportation services and the director of finance may adopt rules, having the force and effect of law, for the implementation, administration, and enforcement of this section.

(Sec. 15-24.11, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-92, 96-54)

Sec. 15-24.11 Off-street parking for disabled persons at City Hall.

(a) There are established two unmetered parking spaces reserved for disabled persons to be located within 50 feet of City Hall. The two parking spaces shall be located in the off-street area immediately in front of City Hall until two spaces have been identified and constructed in some other location within 50 feet of City Hall.

(b) The use of the spaces shall be subject to the requirements and limitations of the state law and rules and Section 15-24.10.

(c) The director and building superintendent or the director of transportation services, as is appropriate, is authorized and directed to establish, mark and designate the reserved parking described in subsection (a).

(d) The members of the police department and any other persons authorized by the chief of police are authorized to enforce this section pursuant to Article 26.

(e) Any person violating this section shall be subject to a fine of not less than $50.00 nor more than $250.00 for each violation.

(Sec. 15-24.11-A, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 89-92, 90-77, 95-15, 96-54)

Sec. 15-24.12 Attention to driving.

Every operator of a motor vehicle shall exercise due care in the operation of such vehicle upon any street or highway in order to avoid collision with any person, vehicle or other property on or off such street or highway. (Sec. 15-24.12, R.O. 1978 (1983 Ed.))

Sec. 15-24.13 Restrictions on federal-aid highways.

No person shall, at any time, carry on or solicit business on any portion of a federal-aid highway. (Sec. 15-24.13, R.O. 1978 (1983 Ed.))

Sec. 15-24.14 Transportation of explosives through tunnels.

No person shall transport, or cause to be transported, any explosives through any vehicular tunnel which is used by the general public as part of a public street or highway. (Sec. 15-24.14, R.O. 1978 (1983 Ed.))

Sec. 15-24.15 Restrictions on freeways.

No unlicensed mobile equipment shall be operated under its own power on any freeway or any portion thereof when official signs are posted prohibiting such operation. (Sec. 15-24.15, R.O. 1978 (1983 Ed.))

Sec. 15-24.16 Restriction of motorized vehicles on pedestrian overpass or underpass.

No person shall operate a motorscooter, motorcycle or any motorized vehicle upon any portion of a pedestrian overpass or underpass. (Sec. 15-24.16, R.O. 1978 (1983 Ed.))

Sec. 15-24.17 Miscellaneous traffic controls.

Miscellaneous traffic controls are established and described in Schedule XXXVIII attached to the ordinance codified in this section and made a part hereof.* All traffic controls not covered elsewhere shall be listed under this section. (Sec.15-24.17, R.O. 1978 (1983 Ed.))

Sec. 15-24.18 Anti-speed bumps.

The council finds that there may be a need for the installation of anti-speed bumps on streets located within the city and, therefore, authorizes the use thereof by the department of transportation services; provided, that the location and installation of any anti-speed bumps on a particular street or streets within the city shall be left to the determination of the department of transportation services as prescribed in Revised Charter Section 6-1102.1(b). The determination of the location and installation of any anti-speed bumps shall be made after all of the following conditions have been considered:

(a) The population count, especially the population of children, indicating the need for anti-speed bumps to safeguard the lives of the people residing within the immediate vicinity of the street upon which anti-speed bumps are to be located and installed;

(b) Whether there is sufficient motor vehicular traffic based on the traffic count as against the population density to warrant the location of anti-speed bumps on a particular street;

(c) Where the width, configuration and layout of the street would make the location and installation of anti-speed bumps effective;

***Editor's Note:** See the listing of schedules at the beginning of this chapter.

(d) That the speed limit and the location and installation of anti-speed bumps will be compatible;
(e) That the location and installation of anti-speed bumps will not create a dangerous or hazardous situation to the residents of the streets on which anti-speed bumps are located; and
(f) No anti-speed bumps shall be located on streets where there are other or better protective devices which can be utilized to safeguard the lives of the residents living on or in the vicinity of the streets on which the location and installation of anti-speed bumps are proposed.

(Sec. 15-24.18, R.O. 1978 (1983 Ed.); Am. Ord. 96-58)

Sec. 15-24.19 Slow-moving vehicles — Requirement of emblems.

(a) All farm machinery and other machinery, including all road construction machinery except when guarded by flaggers or flares, designed to operate at 25 miles per hour or less, hereinafter referred to as "slow-moving vehicles," traveling on a public highway where permitted by law during day or night, shall display a triangular slow-moving vehicle emblem on the rear of the vehicle. Registered or legal owners of such vehicles shall use emblems, as developed by the American Society of Agricultural Engineers and printed in ASAE Standard ASAE S 276.1, for the purpose of identifying slow-moving vehicles. The emblem shall be mounted on the rear of the vehicle, base down, and at a height of not less than three nor more than five feet from ground to base.
(b) The display or use of such emblem as required by this section shall be in addition to any lighting devices required by law.
(c) The display or use of this emblem shall be restricted to the display or use specified by this section and its display or use by any other type of vehicle or as a clearance marker on wide machinery or any stationary objects on the highway is prohibited.
(d) The slow-moving vehicles are not permitted to use public highways, unless otherwise permitted by law, from six a.m. to nine a.m. and from three p.m. to six p.m. on weekdays from Monday through Friday, except on holidays, notwithstanding Section 15-2.17.
(e) Slow-moving vehicles operated on any roadway open to public travel shall be driven in the right-hand lane, or as close as practicable to the right-hand curb or edge of the roadway, except for a distance not to exceed 1,000 feet when preparing for a left turn at an intersection or into a private road or driveway.

(Sec. 15-24.19, R.O. 1978 (1983 Ed.))

Sec. 15-24.20 Parades.

(a) Definitions. The following words used in this section shall have the meaning ascribed thereto as provided herein:

"Activity" means the occupation, use or participation in any activity other than a parade which requires the exclusive use of streets as defined in Section 15-2.23 hereof.
"Agency" means any federal, state or city agency whose review of a permit application the director determines or finds to be necessary for said director to issue such permit.
"Chief of police" means the chief of police of the city, or the chief's authorized subordinate.
"Department" means the department of transportation services.
"Director" means the director of the department of transportation services, or the director's authorized subordinate.
"Parade" means as defined in Section 15-2.15 of this chapter.
"Public safety" means the safety or protection of any motorists, pedestrians, occupants of vehicles, participants, spectators and police officers assigned to a parade or activity, or the protection of any real or personal property.

(b) Permit Required. No person shall parade on streets or highways except for funeral processions, parades, marches or processions by members of the United States Armed Forces, State of Hawaii Armed Forces and city police and fire departments, or undertake any activity on streets or highways without first obtaining a permit therefor.

(c) Application. Any person desiring a permit shall file an application therefor on forms provided by the director with the department.

(d) Conditions to Be Met Prior to Issuance of Permit.

(1) The director shall determine whether the parade or the activity serves a public purpose. The director may consider that the parade or the activity is for a public purpose, so long as any private benefit arising out of the parade or the activity is incidental to the public purpose.

(2) Such application shall be filed with the department 40 working days prior to the date of the parade or the activity. Upon filing of such application, the director shall transmit a copy of such application to the chief of police for the chief's review, comments and recommendations and to any other agency, if the director determines a particular agency's review is necessary. The chief of police or any other agency to whom an application has been transmitted shall return such application with comments and recommendations, if any, to the director within five working days after receipt of the copy of the application.

(3) The director may impose any conditions which will (A) provide for public safety; (B) minimize traffic

congestion or hazards; and (C) permit the passage of authorized emergency vehicles.

(e) Conditions to Be Met After Issuance of Permit.

(1) Any rules and regulations contained herein which may apply to parades or activities using streets.

(2) Any written conditions imposed by the director which are required to be met prior to, or during the parade or activity.

(f) Denial or Revocation of Permit.

(1) Denial or Revocation of Permit. The director is authorized and empowered to deny any permit if the parade or activity does not conform to any regulation contained in this chapter, or the State Traffic Safety Act, or the rules and regulations promulgated by the state director of transportation or the director pursuant to HRS Chapter 91, or any conditions imposed by this section, or any other written conditions imposed by the director are not met prior to the issuance of the permit.

(2) Chief of Police to Revoke or Terminate Parade Activity. The chief of police is authorized to revoke any permit if the chief finds that, at the site when a parade or activity is to commence, and prior to the actual commencement of such parade or activity, any written conditions imposed by the director have not been met. The director is also authorized to terminate any parade or activity in progress if the director finds that public safety is endangered, or any written conditions to be observed during a parade or activity by the participant imposed by the director have been breached.

(3) Before the director can deny an applicant a permit, the director shall conduct a hearing pursuant to rules and regulations promulgated by the director for such hearing. Whenever the chief of police revokes a permit under the conditions set forth in subsection (f)(2) above, the permittee may pursue any and all remedies as provided by law, since there will be no time to issue a notice and conduct a hearing as prescribed in HRS Chapter 91.

(g) The director shall promulgate rules and regulations pursuant to the provisions of HRS Chapter 91 for the purpose of administering or implementing the provisions of this section, and for hearings as authorized in subsection (f) above.

(h) Penalties.

(1) Definition of "Violation." Including but not limited to the foregoing, the word, "violation" used in this subsection shall mean any person who: (A) fails to obtain a permit for a parade or activity on any public street; (B) authorizes, urges or solicits any person to participate in a parade or activity without a permit;

(C) participates in a parade or activity on a public street when there is no permit issued therefor, or the permit therefor has been denied or revoked as provided herein; or (D) fails to obey any lawful directive, order or command of a police officer when such police officer believes that public safety is in peril.

(2) Criminal Sanctions. Any person who violates any provision contained herein or falls within the definition of the word "violation," as defined in this subsection, shall be fined up to $200.00, or imprisoned up to 30 calendar days, or both.

(Sec. 15-24.20, R.O. 1978 (1983 Ed.))

Sec. 15-24.21 Permits for special transit service vehicles.

(a) The department of finance shall establish a permit program to identify special transit service vehicles, other than those operated by a special transit service under Article 4, Chapter 13, which may benefit from the stopping, standing or parking privileges under this chapter. Under the program the department shall issue a permit for a vehicle eligible under subsection (d) upon:

(1) Application by the registered owner of the vehicle or, if the registered owner is a partnership or corporation, by a partner or officer or employee authorized by the partnership or corporation; and

(2) If imposed by the department, payment of a fee.

A permit, which shall be deemed granted upon approval of the application and, if required, payment of a fee, shall expire on December 31st of the year in which issued.

(b) A permit may be renewed upon:

(1) Application prior to December 1st of the year in which the permit is to expire; provided, that the department may renew a permit after December 1st, but prior to December 31st. The application shall be made by any person allowed to make the application for an original permit; and

(2) If imposed by the department, payment of a fee.

If renewed, the permit shall be deemed renewed on the January 1st immediately following the date of the application for renewal and shall expire on December 31st immediately following that January 1st. There shall be no limit on the number of times a permit may be renewed; provided, that the department shall have the right to deny renewal if the renewal would be contrary to this section. If a permit is not renewed prior to expiration, the permit shall be deemed to have expired on that expiration date. Nothing in this section shall prevent a person from applying for another permit for a vehicle in accordance with subsection (a) after the expiration of a permit for that vehicle.

(c) A decal shall be issued with each permit, and if the department chooses to do so, a decal shall be issued with each renewal of a permit. To be identified as a special transit service vehicle under Section 15-2.11, a vehicle shall have a valid decal on its front right bumper or, if determined more appropriate by the department, elsewhere on its exterior. The decal shall be placed on the vehicle for which the permit is issued, and no other.
The department may:
(1) Change the form, substance or color of the decal from year to year to make easier the identification of the decal which is valid in a given year; and
(2) Require a permit holder to return a decal, the validity of which has expired, to the department.

(d) To be eligible for a permit under this section, a vehicle shall be:
(1) Under the registered ownership of a:
(A) Proprietorship, partnership or for-profit corporation, the primary business activity of which is the transportation of mobility handicapped passengers upon demand or arrangement; or
(B) Nonprofit corporation which provides the service of transporting mobility handicapped passengers upon demand or arrangement.
The department may require the proprietorship, partnership or for-profit corporation to submit satisfactory evidence of compliance with this paragraph; and
(2) If the registered owner is a:
(A) Proprietorship, partnership or for-profit corporation, clearly marked with a business identification sign lawful under Article 14, Chapter 41; or
(B) Nonprofit corporation, clearly marked by a sign, graphics or lettering relating to the corporation's name or service performed.

(e) When a decal is mutilated, defaced or lost, the department may issue a replacement decal, upon request of the permit holder.

(f) If deemed desirable or necessary, the department may establish and impose a fee for the:
(1) Issuance of an original permit;
(2) Renewal of a permit;
(3) Issuance of a decal, when issued with an original or renewed permit; or
(4) Replacement of a mutilated, defaced or lost decal.
If any fee is established, the amount shall be established by rule.

(g) The department may revoke a permit:
(1) When a permit or accompanying decal has been used in violation of this chapter; or

(2) When a vehicle for which a permit is issued has violated the stopping, standing or parking privileges provided under this chapter for special transit service vehicles.

(h) The following persons shall be subject to a fine of not less than $50.00 nor more than $250.00:

(1) Any person who falsifies an application for an original permit or renewal of a permit;

(2) Any person who places a decal on a vehicle, other than the vehicle for which the permit and decal are issued;

(3) Any person who retains on a vehicle a decal after the permit with which the decal was issued expires or is revoked;

(4) Any person who uses a facsimile of a decal; and

(5) Any person who uses a permit or decal issued under this section in a manner contrary to this section.

The penalties provided under this subsection shall be in addition to any penalty provided elsewhere in this chapter.

(i) Nothing in this section shall be construed as:

(1) Requiring a special transit service vehicle operating under authority of Article 4, Chapter 13 to acquire permits or decals under this section for its vehicles;

(2) Requiring a vehicle of a special transit service operating under authority of Article 4, Chapter 13 to have a decal in order to benefit from the stopping, standing or parking privileges provided under this chapter for special transit service vehicles; or

(3) Prohibiting a vehicle with a decal issued under Section 15-24.10 and Section 15-24.11 when transporting a disabled person with a disabled parking identification card and a disabled parking placard issued under Section 15-24.10. When utilizing the parking or standing privileges under Section 15-24.10 and Section 15-24.11, the vehicle shall be subject to those sections.

(Added by Ord. 89-58; Am. Ord. 96-58)

Sec. 15-24.22 Carrying animal in vehicle.

No dog or any other animal shall be transported on any public street or highway in any vehicle unless such dog or other animal is totally enclosed within such vehicle, within a secured container carried upon such vehicle, or securely cross-tethered to such vehicle in such a way as to prevent a falling out of or off such vehicle, and to prevent injury to the animal. (Added by Ord. 89-130)

Article 25. Pedestrian Malls

Sections:

15-25.1 Establishment of pedestrian malls.
15-25.2 Violation of pedestrian mall provisions.

Sec. 15-25.1 Establishment of pedestrian malls.

(a) That portion of Union Street extending from Bishop to Hotel Streets in downtown Honolulu is closed to vehicular traffic and is established as a pedestrian mall.

(1) Except as hereinafter provided, it is unlawful for any person to park, or cause to be parked, or to operate or propel, or cause to be operated or propelled, any vehicle (as defined in this traffic code) upon the mall hereinabove established:

(A) Any person legally entitled as owner, lessee, invitee or licensee to operate or propel a vehicle in the alley situated on the mauka end of the mall within the easement between the lots bearing the tax map designation 2-1-10-15 and 2-1-10-42 shall be permitted to operate or propel such vehicle, for purposes of ingress and egress, over the portion of the mauka end of the mall between said alley and Bishop Street, the width of which shall be parallel lines connecting said alley to Bishop Street; provided, that entry and exit to and from said alley shall be from and to Bishop Street only.

(B) It is lawful to operate or propel a vehicle, for purposes of ingress and egress, over the portion of the mauka end of the mall between the lot bearing the tax map designation 2-1-10-15 and Bishop Street. The director of transportation services shall designate the width of said passageway. In determining the width of said passageway, the director of transportation services shall take into consideration pedestrian safety and adequate ingress and egress for the highrise office/retail complex using said lot 2-1-10-15. Entry and exit to and from said lot 2-1-10-15 shall be from and to Bishop Street only.

(C) The speed limit upon the mall shall not exceed five miles per hour.

(b) That portion of Fort Street extending from the makai side of Beretania Street to the mauka side of Queen Street is closed to vehicular traffic and is established as a pedestrian mall.

(1) Except as hereinafter provided, it is unlawful for any person to park, or cause to be parked, or to operate or propel, or cause to be operated or propelled, any vehicle (as defined in the traffic code) upon the mall

hereinabove established; provided, however, that vehicular traffic on Hotel, King and Merchant Streets crossing the intersections at Hotel and Fort, King and Fort, and Merchant and Fort, respectively, shall be exempted from the provisions of this section.

(2) Notwithstanding the prohibitions contained hereinabove, vehicles may be allowed on the mall as specified herein:

(A) Passenger vehicles may be operated on the mall between Beretania and Pauahi Streets at all times for the purpose of loading and unloading passengers for Blaisdell Hotel and the Catholic church; and in addition thereto vehicles may, under police control, park in the area designated for parking during weddings or funeral services and other special events held at the Catholic church.

(B) Passenger vehicles may be operated on the mall between Merchant Street and the C. Brewer driveway for the purpose of exiting from the C. Brewer parking lot.

(C) Passenger vehicles loading or unloading passengers at Blaisdell Hotel and the Catholic church shall load or unload passengers only within the area designated for such purposes for the respective establishments.

(D) Any vehicle used by, or serving business firms between, Bethel Street and Fort Street via Chaplain Lane and/or the two service alleys situated between Bethel Street and Fort Street may at any time enter the mall from Chaplain Lane, and shall exit on Pauahi Street; and further, any vehicle used by or serving C. Brewer & Co. may at any time enter the mall through the existing C. Brewer driveway.

(E) It is lawful during the period from two p.m. to 10 a.m. of the following day, and all day on Sundays, to operate or propel a vehicle upon the mall for the purpose of delivering property to or receiving the same from a store, shop, office or other establishment in or upon any premises abutting on the mall or for the purpose of cleaning or otherwise maintaining the mall, except for that portion of the mall between Merchant Street and Queen Street, where it is lawful to operate or propel a vehicle only for purposes of maintaining the mall, providing emergency services or exiting and entering the C. Brewer driveway.

(F) Vehicular traffic allowed under this section shall travel only upon the area delineated for travel and shall move only in the makai direction, except

upon portions between King Street and Merchant Street, where traffic may move in either direction and between Merchant Street and the C. Brewer driveway, where traffic shall move only in the mauka direction; and except further that bicycles may travel in both directions along the mall provided that the operators thereof are dismounted. No vehicle shall park at any time for any purpose upon the area clearly delineated for travel.

(G) Passenger vehicles loading or unloading passengers at Blaisdell Hotel and the Catholic church may park for such purpose for a period not exceeding three minutes; and vehicles loading or unloading freight under the provision of subsection (b)(2)(E) hereinabove may park for a period not exceeding 30 minutes.

(H) Bicycles may be permitted on the mall, provided that the operators of such bicycles shall be dismounted and the bicycles shall be parked only in bicycle racks which the City and County of Honolulu shall provide on the mall for that purpose.

(I) Pedestrians shall at all times have the right-of-way upon the mall.

(J) The speed limit upon the mall shall not exceed five miles per hour.

(c) That portion of College Walk extending from the mauka side of Beretania Street to the makai side of Vineyard Boulevard, and that portion of River Street extending from the mauka side of Beretania Street to the makai side of Kukui Street are closed to vehicular traffic and are established as pedestrian malls.

(1) Right-of-Way. Pedestrians shall at all times have the right-of-way upon said malls.

(2) Parking Restrictions. Except as hereinafter provided, it is unlawful for any person to park, or cause to be parked, or to operate or propel, or cause to be operated or propelled, any vehicle (as defined in the traffic code) upon the malls hereinabove established; provided, however, that vehicular traffic on Kukui Street crossing the intersection of Kukui Street and College Walk shall be exempted from the provisions of this section.

(3) Maintenance Thereof. Notwithstanding the prohibitions contained in subsection (c)(2), vehicles may be allowed on the malls as specified herein:

(A) It is lawful to park, operate or propel a vehicle upon the malls for the purpose of cleaning or otherwise maintaining the malls.

(B) Vehicular traffic allowed under this section shall travel only upon the area delineated for travel. No vehicle shall park at any time for any purpose upon the area clearly delineated for travel, except for the purpose of cleaning or otherwise maintaining the malls.

(4) Vehicular Speed Limit. No person shall operate or propel, or cause to be operated or propelled, any vehicle at any time on said malls at a speed in excess of five miles per hour.

(5) Exempt Vehicles. The prohibition against parking or operating a vehicle upon the malls shall not apply to the driver of any authorized emergency vehicle (as defined in the traffic code) responding to an emergency occurring on the mall area; provided, that such exemption shall not relieve the driver of operating the vehicle with due regard for the safety of others.

(d) That portion of Banyan Street extending from North King Street to Kanoa Street in the Palama District in Honolulu is closed to vehicular traffic and is established as a pedestrian mall.

(1) Except as hereinafter provided, it is unlawful for any person to park or cause to be parked, or to operate or propel, or cause to be operated or propelled, any vehicle (as defined in the traffic code, as amended) upon the mall hereinabove established.

(2) A person legally entitled as the vehicle licensee may be allowed to enter Banyan Court Mall with the vehicle, provided the entry is covered by a valid department of parks and recreation "right-of-entry" or "park use permit" in order to perform authorized selling, construction, installation, repair and maintenance, cleaning, or removal of items, and that the activity can be reasonably accomplished only by entering the mall.

(3) The prohibition against parking or operating a vehicle upon the mall shall not apply to the driver of any authorized emergency vehicle (as defined in the traffic code, as amended) responding to an emergency call originating from the mall area; provided, that such exemption shall not relieve the driver of operating the vehicle with due regard for the safety of others.

(4) It is unlawful for any person to operate or propel, or cause to be operated or propelled, any vehicle at any time on said mall at speeds in excess of five miles per hour.

(5) Pedestrians shall at all times have the right-of-way.

(Sec. 15-25.1, R.O. 1978 (1983 Ed.); Am. Ord. 88-95, 89-8, 89-65, 89-106, 96-58)

Sec. 15-25.2 Violation of pedestrian mall provisions.

The police department is authorized to remove or cause to be removed at the owner's expense any vehicle in violation of this article. (Sec. 15-25.2, R.O. 1978 (1983 Ed.))

Article 26. Penalties and Procedure on Arrest

Sections:

15-26.1 Procedure upon arrest.
15-26.2 Summons or citation.
15-26.3 Failure to obey summons.
15-26.4 Summons or citation for illegally parked, standing or stopped vehicle.
15-26.5 When penal summons or complaint to be issued.
15-26.6 Offenses under former ordinances saved.
15-26.7 Interpretation.
15-26.8 Severability.
15-26.9 Unspecified penalty.
15-26.10 Illegal parking, standing or stopping--Minimum fine.
15-26.11 Revocation or suspension of license.
15-26.12 Disposition of fines and forfeitures.

Am. 4/19/01
Ord. 01-17

Sec. 15-26.1 Procedure upon arrest.

Except when authorized or directed under state 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 state traffic laws or traffic code and ordinances of the City and County of Honolulu, shall take the name, address and driver's license number of the alleged violator and license plate number or vehicle identification number of the vehicle involved, and shall issue to such person in writing a summons or citation, hereinafter described, notifying the person to answer to the complaint to be entered against him or her at a place and at a time provided in said summons or citation. (Sec. 15-26.1, R.O. 1978 (1983 Ed.); Am. Ord. 90-77)

Sec. 15-26.2 Summons or citation.

(a) 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. The form and content of such summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed as to include all necessary information to make the same valid within the laws and regulations of the State of Hawaii and the City and County of Honolulu.

(b) In every case when a citation is issued, the original of the same shall be given to the violator or, in the case of an unattended vehicle, the original of the same shall be affixed to such vehicle as provided for in Section 15-26.4; provided, that the administrative judge of the district courts may prescribe the giving to the violator, or affixing to such vehicle, a carbon copy of the citation, and provide for the disposition of the original and any other copies.

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

(Sec. 15-26.2, R.O. 1978 (1983 Ed.))

Sec. 15-26.3 Failure to obey summons.

Any person who fails to appear at the place and within the time specified in the summons or citation addressed to the person by an officer upon the person's arrest for any violation of this traffic code for which a criminal penalty is provided is guilty of a misdemeanor regardless of the disposition of the charge on which the person was originally arrested. (Sec. 15-26.3, R.O. 1978 (1983 Ed.); Am. Ord. 90-77, 95-15)

Sec. 15-26.4 Summons or citation for illegally parked, standing or stopped vehicle.

(a) Whenever any vehicle is parked, standing, or stopped in violation of any of the restrictions contained in this traffic code, the officer finding the vehicle shall conspicuously affix to the vehicle a summons or citation. The summons or citation shall be addressed to the registered owner of the vehicle, but need not identify the registered owner by name. The registered owner may be unnamed, so long as the summons or citation identifies the vehicle by its license plate number or vehicle identification number. The summons or citation shall notify the registered owner to answer to the complaint to be entered against the registered owner at the location and time specified in the summons or citation.

(b) The registered owner of a vehicle shall be responsible and accountable for the illegal parking, standing, or stopping of the vehicle when:

(1) The registered owner committed the illegal parking, standing or stopping of the vehicle; or

(2) Another person committed the illegal parking, standing or stopping of the vehicle, but the registered owner gave the person explicit or implicit permission to use the vehicle at the time of the violation.

(c) In any proceeding for violation of a parking, standing or stopping provision of the traffic code, the license plate number or vehicle identification number of the parked, standing or stopped vehicle shall constitute prima facie evidence that the registered owner was responsible and

accountable for the illegal parking, standing or stopping of the vehicle.

(Sec. 15-26.4, R.O. 1978 (1983 Ed.); Am. Ord. 90-77)

Sec. 15-26.5 When penal summons or complaint to be issued.

If any person fails to comply with a summons or citation addressed to such person or fails or refuses to deposit bail as required and within the time permitted by the district court, the traffic violations bureau shall forthwith issue a penal summons ordering the person's appearance in the district court or have a complaint entered against such person and secure the issuance of a warrant for the person's arrest. (Sec. 15-26.6, R.O. 1978 (1983 Ed.); Am. Ord. 90-77)

Sec. 15-26.6 Offenses under former ordinances saved.

Nothing contained in any provision of this traffic code shall apply to an act done or omitted, or to an offense committed, at any time before the day that this traffic code became 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 traffic code had not been enacted. (Sec. 15-26.7, R.O. 1978 (1983 Ed.))

Sec. 15-26.7 Interpretation.

Wherever consistent with the context of this traffic code, words in the present, past or future shall be construed to be interchangeable with and to include such respective other genders; and words in the singular number shall be construed to include the plural; and in the plural to include the singular, and each shall be construed to be interchangeable with the other. (Sec. 15-26.8, R.O. 1978 (1983 Ed.))

Sec. 15-26.8 Severability.

If any provision of this traffic code 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 traffic code. (Sec. 15-26.9, R.O. 1978 (1983 Ed.))

Sec. 15-26.9 Unspecified penalty.

(a) Except as otherwise provided in this traffic code, it is a violation for any person to violate any of the provisions of this traffic code unless the violation is by other law of this state declared to be a felony.

(b) Every person who violates any provision of this traffic code for which another penalty is not provided shall, for a first offense thereof, be fined not less than $15.00, but not more than $100.00; for a second offense committed within one year after the date of the first offense, the person shall be fined not less than $15.00, but not more than $200.00; for a third or subsequent offense committed within one year after

the date of the first offense, the person shall be fined not less than $15.00, but not more than $500.00.

(Sec. 15-26.10, R.O. 1978 (1983 Ed.); Am. Ord. 90-77, 95-15)

Sec. 15-26.10 Illegal parking, standing or stopping--Minimum fine.

(a) The registered owner of a vehicle which violates any of the following provisions of the traffic code shall be fined not less than $15.00:
   (1) Sections 15-13.1, 15-13.3, 15-13.5, 15-13.11 and 15-13.12;
   (2) Sections 15-14.1, 15-14.2, 15-14.3, 15-14.5, 15-14.6, 15-14.7 and 15-14.9;
   (3) Sections 15-15.3 and 15-15.4;
   (4) Sections 15-16.1, 15-16.5, 15-16.6, 15-16.7 and 15-16.8;
   (5) Sections 15-18.6, 15-18.10(i) and 15-18.10(q);
   (6) Section 15-22.11, other than subsection (i); and
   (7) Section 15-23.6.

(b) The registered owner of a vehicle which violates any of the following provisions of the traffic code shall be fined not less than $25.00:
   (1) Section 15-6.7, when the violation is for the parking, standing or stopping of a vehicle in a transit bus lane, bicycle lane, express bus lane or express bus and car pool lane;
   (2) Section 15-13.4;
   (3) Section 15-14.8;
   (4) Section 15-15.1;
   (5) Sections 15-16.3 and 15-16.4;
   (6) Section 15-22.11(i); and
   (7) Section 15-25.1, when the violation is for the parking, standing or stopping of a vehicle on a pedestrian mall.

(c) Except as otherwise provided in Section 15-16.8, after the first violation of a provision to which the penalty under subsection (a) or (b) applies, every hour a vehicle remains parked, stopped or standing in violation of that provision shall constitute a separate violation.

(Added by Ord. 90-77; Am. Ord. 96-58)

Sec. 15-26.11 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 traffic code involving a vehicle in motion. (Sec. 15-26.11, R.O. 1978 (1983 Ed.))

Sec. 15-26.12 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 traffic code shall be paid to

the director of finance of the state. (Sec. 15-26.12, R.O. 1978 (1983 Ed.))

Article 27. Designation of Certain County Highways as Closed to Large Passenger Carrier Vehicles

Sections:

15-27.1 Definitions.
15-27.2 Closure of certain streets and highways to large passenger carrier vehicles.
15-27.3 Adoption of rules.
15-27.4 Inapplicability to interstate and foreign commerce.
15-27.5 Posting of signs.
15-27.6 Conflict with certificate of public convenience and necessity or permit issued by public utilities commission.
15-27.7 Information program.
15-27.8 Permits.
15-27.9 Exceptions.
15-27.10 Violation--Penalties.

Sec. 15-27.1 Definitions.

For the purposes of this article, unless otherwise indicated, the following definitions shall apply:

"Director" means the director of transportation services of the city.

"Large Passenger Carrier Vehicle" means any motor vehicle with a vehicle weight, as indicated on the vehicle's certificate of registration, in excess of 15,000 pounds which is designed, constructed and used for the transportation of passengers.

"School" means any "school" as that term is defined in HRS Section 298-41, and any community college, any college, or any university.

"School vehicle" means any publicly or privately owned vehicle that is being used at the time in question to transport pupils or students to or from a school, a school function, or a school-related event.

(Added by Ord. 90-79)

Sec. 15-27.2 Closure of certain streets and highways to large passenger carrier vehicles.

(a) The director may declare heavily traveled city streets or highways to be closed to large passenger carrier vehicles upon finding that the use of those streets or highways by such vehicles is incompatible with the safe and normal movement of traffic on or along those streets or highways. In making its finding of incompatibility, the director shall consider the following:

(1) Physical suitability of the county street or highway for the vehicles, including condition of the roadway surface, street width, curves, and dangerous intersections;
(2) Density of neighborhoods adjacent to the street or highway;
(3) Proximity of the street or highway to schools and playgrounds;
(4) Pedestrian traffic conditions along the street or highway, including the availability of paved sidewalk areas adequate for pedestrian traffic;
(5) Existing traffic control devices or aids which control traffic on, entering, exiting, or crossing the street or highway, such as traffic lights, signs, and curb markings;
(6) Congestion of the county street or highway, generally;
(7) Use of the street or highway as an official county transit bus route;
(8) Use of the street or highway by emergency vehicles such as police, fire, and ambulance vehicles;
(9) The availability of alternative routes for the affected large passenger vehicles.

(b) It is unlawful to operate a large passenger carrier vehicle or to stop, park, or cause to stand a large passenger carrier vehicle on any city street or highway, or portion thereof, designated by the director under subsection (a) of this section.

(Added by Ord. 90-79)

Sec. 15-27.3 Adoption of rules.

The director shall adopt rules pursuant to HRS Chapter 91, to implement and administer the provisions of this article, which shall include the procedures to be followed by the director to designate streets for closure to a large passenger vehicles. (Added by Ord. 90-79)

Sec. 15-27.4 Inapplicability to interstate and foreign commerce.

Neither this article nor any provision thereof shall apply to commerce with foreign nations or to interstate commerce, except insofar as the application is permitted under the Constitution and laws of the United States. (Added by Ord. 90-79)

Sec. 15-27.5 Posting of signs.

The director may post signs indicating that a particular city street or highway is closed to large passenger carrier vehicles. The contents of such signs shall be determined by the director. It shall not be a defense to any prosecution for a violation of any provision of this article that no such sign was posted. (Added by Ord. 90-79)

Sec. 15-27.6 Conflict with certificate of public convenience and necessity or permit issued by public utilities commission.

To the extent that any designation made by the director is in direct conflict with the terms of a certificate of public convenience and necessity or permit issued by the state public utilities commission which specifies particular public streets or highways as permitted routes of a passenger carrier, the terms of the certificate or permit shall govern. (Added by Ord. 90-79)

Sec. 15-27.7 Information program.

The director and the director of finance shall undertake a program to notify public passenger carriers and operators of large passenger carrier vehicles of the provisions of this article and, in particular, of the streets and highways closed to large passenger carrier vehicles under this article. (Added by Ord. 90-79)

Sec. 15-27.8 Permits.

The director or the director of finance shall adopt rules for the issuance of short-term permits for large passenger carrier vehicles to travel on city streets and highways closed under this article for special events. (Added by Ord. 90-79)

Sec. 15-27.9 Exceptions.

This article shall not apply to city transit buses or to school vehicles which are being used at the time in question to transport pupils or students to or from a school, a school function or a school-related event. Any passenger carrier vehicle traveling at the direction of a police officer shall not be deemed in violation of any provision of this article. Any passenger carrier vehicle being operated within the terms of a permit issued pursuant to the rules adopted under Section 15-27.8, shall not be deemed in violation of any provision of this article. (Added by Ord. 90-79)

Sec. 15-27.10 Violation--Penalties.

Any person violating any provision of this article, or rules adopted by the director pursuant to HRS Chapter 91, to implement the provisions of this article, or any person owning or having control of a passenger carrier vehicle who knowingly directs the operator of the vehicle to violate any provision of this article or such rules, shall for a first offense thereof be fined not more than $100.00; for a second offense committed within one year after the date of the first offense, be fined not more than $250.00; and for a third or subsequent offense committed within one year after the date of the first offense, be fined not more than $1,000.00. (Added by Ord. 90-79; Am. Ord. 95-15)

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