

## Chapter 15

### TRAFFIC CODE

#### Articles:

1. Traffic Regulation
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
13. Stopping, Standing and Parking
14. Stopping, Standing or Parking Prohibited in Specified Places
15. Stopping for Loading or Unloading Only
16. Stopping, Standing or Parking Restricted or Prohibited on Certain Streets
17. Pedestrians' Rights and Duties
18. Operation of Bicycles and Play Vehicles
19. Equipment
20. Inspection of Motor Vehicles
21. Weight, Size and Load
22. Parking Meter Zones
23. Off-Street Parking
24. Miscellaneous Provisions
25. Pedestrian Malls
26. Penalties and Procedure on Arrest
27. Designation of Certain County Highways as Closed to Large Passenger Carrier Vehicles

Table 15.0

SCHEDULES\*

| Schedule | Title   | Section  |
|----------|---|----------|
| I        | Traffic Signal Lights.....                                      | 15-6.2   |
| II       | Traffic Signal Lights on Federal-Aid Highways.....              | 15-6.2   |
| III      | Right or Left Turns Against a Red Signal.....                   | 15-6.3   |
| IV       | Speed Limit Zones 15 Miles Per Hour.....                        | 15-7.2   |
| V        | Speed Limit Zones 25 Miles Per Hour.....                        | 15-7.2   |
| VI       | Speed Limit Zones 30 Miles Per Hour.....                        | 15-7.2   |
| VII      | Speed Limit Zones 35 Miles Per Hour.....                        | 15-7.2   |
| VIII     | Speed Limit Zones 45 Miles Per Hour.....                        | 15-7.2   |
| IX       | Speed Limit Zones 50 Miles Per Hour.....                        | 15-7.2   |
| X        | Speed Limit Zones 65 Miles Per Hour.....                        | 15-7.2   |
| XI       | No-Turns.....   | 15-8.3   |
| XII      | One-Way Streets.....  | 15-10.1  |
| XIII     | "Yield Right-of-Way" Intersections.....                         | 15-11.2  |
| XIV      | Stop Intersections.....   | 15-11.3  |
| XV       | Through Streets.....  | 15-12.1  |
| XVI      | Reserved Parking Stalls.....                                    | 15-13.4  |
| XVII     | Tow Zones Morning Peak Period.....                              | 15-13.9  |
| XVIII    | Tow Zones Afternoon Peak Period.....                            | 15-13.9  |
| XIX      | Tow Zones Morning and Afternoon Peak Period.....                | 15-13.9  |
| XX       | Tow Zones 24-Hour.....  | 15-13.9  |
| XXI      | Tow Zones Restricted Parking Other Than Peak Traffic Hours..... | 15-13.9  |
| XXII     | Prohibited Parking Certain Areas.....                           | 15-14.5  |
| XXIII    | Prohibited Loading and Unloading Certain Areas.....             | 15-14.5  |
| XXIV     | Curb Loading Zones.....   | 15-15.1  |
| XXV      | Official Bus Stops.....   | 15-15.3  |
| XXVI     | Time Limit Parking.....   | 15-16.1  |
| XXVII    | Marked Crosswalks.....  | 15-17.1  |
| XXVIII   | Restricting Pedestrians Crossing Roadways.....                  | 15-17.2  |
| XXIX     | Fishing and Crabbing Restricted from Certain Bridges.....       | 15-17.7  |
| XXX      | Parking Meter Zones.....  | 15-22.1  |
| XXXI     | Transit Bus Lanes.....  | 15-6.7   |
| XXXII    | Two-Way Left Turn Lanes.....                                    | 15-6.7   |
| XXXIII   | Speed Limit Zones 55 Miles Per Hour.....                        | 15-7.2   |
| XXXIV    | Bicycle Lanes.....  | 15-18.3  |
| XXXV     | Express Bus Lanes.....  | 15-6.7   |
| XXXVI    | Express Bus and Car Pool Lanes.....                             | 15-6.7   |
| XXXVII   | Speed Limit Zones 10 Miles Per Hour.....                        | 15-7.2   |
| XXXVIII  | Miscellaneous Traffic Controls.....                             | 15-24.17 |

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\***Editor's Note:** The schedules referred to in this table are on file with the office of the city and county clerk and the department of transportation services, City and County of Honolulu, and are available for examination by the general public during reasonable hours.

## **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.**
- 15-2.12 Muffler.**
- 15-2.13 Noise, excessive or unusual.**
- 15-2.14 Official time standard.**
- 15-2.15 Parade.**
- 15-2.16 Parking meter.**
- 15-2.17 Peak traffic hours.**
- 15-2.18 Disabled person and related terms.**
- 15-2.19 Public holiday.**
- 15-2.20 Safety glass.**
- 15-2.21 School--School zone.**
- 15-2.22 Stop line.**
- 15-2.23 Streets and related terms.**
- 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; and any vehicle used by the department of the medical examiner in the performance of the department's official duties. It also means any other vehicle, including vehicles under private ownership, as may be designated after inspection by and approval of the director of budget and fiscal services 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 that 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 utility construction, repair and maintenance work by public utility corporations that are designated as authorized maintenance vehicles by ordinance passed by the city council and that are registered as such with the police department. "Authorized maintenance vehicle" also means a vehicle of the Fort Street Mall business improvement district association or its contractor when operated for the purpose of cleaning or maintaining Fort Street Mall.

"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 budget and fiscal services. (Sec. 15-2.4, R.O. 1978 (1983 Ed.); Am. Ord. 02-50, 05-031)

**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 combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing 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 device located in the vicinity of a parking space for the purposes of extending parking privileges to persons for a certain number of minutes or hours upon the payment of the required charge by a method allowed by the parking meter. The device shall record a certain number of minutes or hours determining the period of time for which parking privileges have been extended. The term "parking meter" shall include a multispace parking meter device located in the vicinity of the parking spaces it regulates.

"Parking meter space" means any space which is within a parking meter zone, regulated by 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 or public parking area.

"Parking meter zone" means a street, portion of a street, or other public parking area established by ordinance as a zone in which the parking of vehicles upon such street or other public parking area shall be regulated by parking meters. (Sec. 15-2.15, R.O. 1978 (1983 Ed.); Am. Ord. 04-32)

**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 curbs 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.))

**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 of 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.**
- 15-4.11 Operation of motorized devices restricted.**

##### **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.))

**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 21-9.80-2.
  - (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 HRS Section 803-6.
- (Sec. 15-4.7, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 95-15, 96-58, 01-48)

**(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)

**Sec. 15-4.11 Operation of motorized devices restricted.**

- (a) No person shall operate a motorized device on any public sidewalk or street.
- (b) For the purposes of this section, a "motorized device" means a device, excluding a motorized assistive device used by a person with a disability, that is:
- (1) Designed to allow operation while the operator is standing on the device; and
  - (2) Powered by an internal combustion engine that is capable of propelling the device and operator without human propulsion.

(Added by Ord. 03-06)

## **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 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

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

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.))

**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\* [\***Editor's Note:** See listing of schedules at the beginning of this chapter] 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, however, shall not designate a bicycle lane on the Fort Street Mall. [\***Editor's Note:** See listing of schedules at the beginning of this chapter.]  
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.
    - (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. **\*[Editor's Note: See listing of schedules at the beginning of this chapter.]**

(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;
- (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; **\*[Editor's Note: See listing of schedules at the beginning of this chapter.]**
- (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, 02-50)

## 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.
- (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.

- (a) Fifteen miles per hour.
  - (1) Any roadway 18 feet in width or less within the City and County of Honolulu and all of the following streets within the Ewa Villages:

#### EWA VILLAGES

##### VARONA VILLAGE

Kihi Street  
Koahi Street  
Leialoalo Street  
Manakuke Street  
Paalua Street  
Paionia Street  
Puahio Street

##### RENTON VILLAGE

Alanui Mauka Place  
Alanui Mauka Street  
Bryan Street  
Hei Place

##### TENNEY VILLAGE

Alaiki Street  
Alana Street  
Bond Street  
Burke Street  
Elemakule Place  
Garton Street  
Halemano Street  
Hapua Street  
Hookahe Place  
Kuali Street  
Kuuwelu Place  
Lauo Street  
Lehu Street  
Luahine Street  
Luluka Street

| <b>RENTON VILLAGE (cont'd)</b>   | <b>TENNEY VILLAGE (cont'd)</b>  |
|--|---|
| Kupeleko Place<br>Lunanu Street<br>Niulelo Place<br>Park Row<br>Pepper Row<br>Pipeline Street<br>Pohakulepo Street<br>Pualoalo Place | Mahamoe Street<br>Malako Street<br>Nale Street<br>Oha Street<br>Orrick Street<br>Paaniana Street<br>Paeheulu Street<br>Paeko Street<br>Pahe Street<br>Paheahea Street<br>Pahiki Street<br>Pualu Street<br>Puhiko Street<br>Punako Street<br>Sisal Street<br>Tenney Street<br>Uluhui Street<br>Wili Street |

- (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, 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.); Am. Ord. 02-07)

**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

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

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 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 exists, 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.))

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

**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.))

**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.))