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# SENATE CONCURRENT RESOLUTION

ESTABLISHING A TASK FORCE TO RECOMMEND WHETHER THE DEPARTMENT OF TRANSPORTATION SHOULD ADOPT THE BASIC RIDER COURSE OF THE MOTORCYCLE SAFETY FOUNDATION AS A COMPREHENSIVE EDUCATIONAL PROGRAM FOR THE ENTIRE MOTORCYCLE COMMUNITY.

1           WHEREAS, section 286-108(a), Hawaii Revised Statutes,  
2 requires an applicant for a motorcycle drivers license to  
3 actually demonstrate the ability to operate a motorcycle or to  
4 complete the motorcycle education course approved by the  
5 Department of Transportation; and

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7           WHEREAS, section 431:10G-104(a), Hawaii Revised Statutes,  
8 requires a persons seeking to obtain motorcycle liability  
9 insurance coverage to also complete the same motorcycle  
10 education course approved by the Department of Transportation;  
11 and

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13           WHEREAS, the current motorcycle education course of the  
14 Department of Transportation is the Hawaii Motorcycle Safety and  
15 Education Program, which was first developed nearly twenty years  
16 ago and which is an outdated program that only two states today  
17 still administer; and

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19           WHEREAS, the Hawaii Motorcycle Safety and Education Program  
20 has other deficiencies, such as a lack of nationally certified  
21 instructors, inadequate oversight of course sites, limited or  
22 non-existent availability of classes on the neighbor islands,  
23 and potential lawsuits due to use of an outdated curriculum; and

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25           WHEREAS, the organization known as Street Bikers United  
26 Hawaii has offered assistance to the Department of  
27 Transportation to replace the Hawaii Motorcycle Safety and  
28 Education Program with the "Basic Rider Course"; and

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30           WHEREAS, the Basic Rider Course was created in 2001 by the  
31 Motorcycle Safety Foundation to replace a previous program  
32 developed in 1986; and



1 WHEREAS, the Motorcycle Safety Foundation is nationally and  
2 internationally recognized for its more than thirty years of  
3 work in developing and publishing a comprehensive,  
4 research-based, rider education curriculum; and

5  
6 WHEREAS, the military bases in Hawaii conduct the Basic  
7 Rider Course for military personnel; and

8  
9 WHEREAS, military personnel in Hawaii are unable to obtain  
10 a Hawaii motorcycle drivers license or liability insurance  
11 because the Department of Transportation has not approved the  
12 Basic Rider Course; and

13  
14 WHEREAS, in February 2001, the National Highway Traffic  
15 Safety Administration conducted a motorcycle safety program  
16 assessment of the Hawaii Motorcycle Safety and Education Program  
17 which was reportedly critical of the program; and

18  
19 WHEREAS, anyone who operates a motorcycle on United States  
20 military bases anywhere in the world is required to take a  
21 United States Department of Defense approved motorcycle training  
22 course, and the only approved course is the Basic Rider Course;  
23 and

24  
25 WHEREAS, many states waive their motorcycle drivers license  
26 tests for military applicants who complete the Basic Rider  
27 Course, but in Hawaii, these applicants must still complete the  
28 Hawaii Motorcycle Safety and Education Program; and

29  
30 WHEREAS, obtaining motorcycle liability insurance in Hawaii  
31 is difficult if not impossible for those who have completed the  
32 Basic Rider Course but not the Hawaii Motorcycle Safety and  
33 Education Program; and

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35 WHEREAS, current motorcycle license holders may face  
36 problems when a new Basic Rider Course is adopted, such as  
37 whether they will have to be re-tested and re-licensed; and

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39 WHEREAS, there are liability concerns for the State in  
40 continuing to operate an obsolete and decertified motorcycle  
41 education course; and

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43 WHEREAS, the Department of Transportation is aware of the  
44 issue and problems and is purportedly working on a mutually



1 agreeable solution with interested parties but nonetheless the  
2 creation of a task force is desirable to formalize the  
3 discussions; now, therefore,

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5 BE IT RESOLVED by the Senate of the Twenty-third  
6 Legislature of the State of Hawaii, Regular Session of 2006, the  
7 House of Representatives concurring, that the Department of  
8 Transportation convene a task force on motorcycle education to  
9 study and recommend:

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11 (1) Whether the Department of Transportation should adopt  
12 the Basic Rider Course of the Motorcycle Safety  
13 Foundation as a comprehensive educational program for  
14 the entire motorcycle community including residents,  
15 United States military personnel stationed in Hawaii,  
16 and civilians working on United States military bases  
17 in Hawaii; and

18  
19 (2) Whether current holders of motorcycle drivers licenses  
20 should be required to be re-tested and re-licensed  
21 under the new Basic Rider Course;

22  
23 and

24  
25 BE IT FURTHER RESOLVED that the task force consist of one  
26 representative of each of the following entities, to be selected  
27 by the entity:

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29 (1) Department of Transportation;

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31 (2) United States Army;

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33 (3) United States Navy

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35 (4) United States Air Force;

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37 (5) United States Marine Corps;

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39 (6) United States Coast Guard;

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41 (7) Examiner of Drivers of the City and County of  
42 Honolulu;

43  
44 (8) Honolulu Police Department;



- 1 (9) Hawaii Insurers Council;
- 2
- 3 (10) Motorcycle Safety Foundation (rider coach trainer);
- 4
- 5 (11) Street Bikers United; and
- 6
- 7 (12) Motorcycle Dealers Association;

8  
9 and

10  
11 BE IT FURTHER RESOLVED that the Department of  
12 Transportation report findings and recommendations to the  
13 Legislature no later than twenty days prior to the convening of  
14 the Regular Session of 2007; and

15  
16 BE IT FURTHER RESOLVED that certified copies of this  
17 Concurrent Resolution be transmitted to the Governor; U.S. Army,  
18 Pacific; Pacific Air Forces; U.S. Pacific Fleet; Marine Corps  
19 Pacific; 14th Coast Guard District; Director of Transportation;  
20 Honolulu Chief of Police; Examiner of Drivers of the City and  
21 County of Honolulu; Hawaii Insurers Council; State Director of  
22 Street Bikers United Hawaii; and the Motorcycle Safety  
23 Foundation.

