

MAR - 9 2006

---

# SENATE 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  
6

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  
12

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16 ago and which is an outdated program that only two states today  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  
18

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23 and potential lawsuits due to use of an outdated curriculum; and  
24

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  
29

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  
33



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

34  
35           WHEREAS, the Department of Transportation is aware of the  
36 issue and problems and is purportedly working on a mutually  
37 agreeable solution with interested parties but nonetheless the  
38 creation of a task force is desirable to formalize the  
39 discussions; now, therefore,

40  
41           BE IT RESOLVED by the Senate of the Twenty-third  
42 Legislature of the State of Hawaii, Regular Session of 2006,  
43 that a task force on motorcycle education be established to  
44 study and recommend whether the Department of Transportation



1 should adopt the Basic Rider Course of the Motorcycle Safety  
 2 Foundation as a comprehensive educational program for the entire  
 3 motorcycle community including residents, United States military  
 4 personnel stationed in Hawaii, and civilians working on United  
 5 States military bases in Hawaii; and

6  
 7 BE IT FURTHER RESOLVED that the task force be convened by  
 8 the Department of Transportation and consist of representatives  
 9 of the Department of Transportation, Director of Finance of each  
 10 county, Hawaii Insurers Council, and Street Bikers United; and

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

16  
 17 BE IT FURTHER RESOLVED that certified copies of this  
 18 Resolution be transmitted to the Governor, Director of  
 19 Transportation, Director of the Department of Budget and Fiscal  
 20 Services of the City and County of Honolulu, Director of Finance  
 21 of Hawaii County, Director of Finance of Maui County, Director  
 22 of Finance of Kauai County, Hawaii Insurers Council, State  
 23 Director of Street Bikers United Hawaii, and the Motorcycle  
 24 Safety Foundation.

25  
 26  
 27 OFFERED BY: *Jessie J. Young*