

STAND. COM. REP. NO. 547 -06

Honolulu, Hawaii

Feb 17, 2006

RE: H.B. No. 1342
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1342 entitled:

"A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER SAFETY,"

begs leave to report as follows:

The purpose of this bill is to encourage motorcyclists and motor scooter operators to obtain insurance and complete the motorcycle education course by amending the law pertaining to motorcycle and motor scooter liability insurance coverage. Specifically, this bill will allow persons with a valid motorcycle or motor scooter learner's permit to obtain coverage for their vehicle provided that they have also registered to take a Department of Transportation (DOT)-approved motorcycle education course.

The State Department of Defense, Chamber of Commerce of Hawaii, Motorcycle Safety Foundation, Street Bikers United Hawaii, Street Bikers United-Oahu Chapter, Street Bikers United-Maui Chapter, Harley-Davidson Motor Company, Honda North America, Inc., Professional Insurance Agents, Inc., Navy Region Hawaii Motorcycle Program Coordinator at Pearl Harbor, and numerous concerned individuals testified in support of this bill. The Hawaii Motorcycle Dealers Association and other concerned individuals opposed this measure.

HB1342 HD1 HSCR TRN HMS 2006-2103



Strict regulations and guidelines, including safety regulations, have been established for driving motorcycles and motor scooters on United States (U.S.) military installations. Military drivers of motorcycles and motor scooters are required to pass a U.S. Department of Defense (DOD) motorcycling safety course that is widely-recognized and accepted in every state. However, Hawaii does not recognize these safety courses as sufficient. Since Hawaii requires motorcyclists and motor scooter riders to have a learner's permit and complete a DOT-approved motorcycle education course or have a license to qualify for liability insurance coverage, many military motorcycle riders with learner's permits cannot get liability coverage unless they take the DOT-approved course. Those who do take the DOT-approved course to qualify for liability coverage often have already taken the DOD-approved course. Your Committee finds that requiring military personnel to take a motorcycle safety course twice is not necessary, especially since the DOD-approved course has been cited as being as good as, if not better than, the DOT-approved course.

Your Committee finds that this bill will contribute to safety on the roadways and ensure that motorcycle and motor scooter operators receive liability insurance protection.

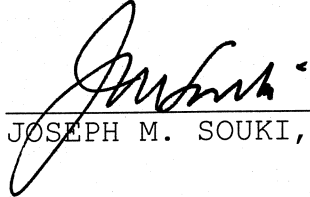
Your Committee also notes that since the examiner of drivers can currently waive the motorcycle or motor scooter road test for individuals who have taken and passed a DOT-approved course, a similar waiver should be given to those who have passed a DOD-approved course. Accordingly, your Committee has amended this measure by:

- (1) Inserting language allowing the examiner of drivers to waive the actual demonstration of the ability to operate a motorcycle or motor scooter for any person who furnishes satisfactory evidence that the person has completed a DOD-approved motorcycle education course;
- (2) Changing the effective date to July 1, 2006; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1342, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



