

JAN 18 2008

A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding three new sections to be appropriately
3 designated and to read as follows:

4 "§286-A Definitions. (a) As used in this chapter:

5 "All-terrain vehicle" means a motor vehicle that:

6 (1) Is designed for operation off of the highway by an
7 operator with no more than one passenger;

8 (2) If fifty inches or less in width;

9 (3) Weighs nine hundred pounds or less without load;

10 (4) Is suspended on three or more tires;

11 (5) Has a single seat designed to be straddled by the

12 operator, or a single seat designed to be straddled by
13 the operator and a seat for not more than one

14 passenger; and

15 (6) Has handlebars for steering control.

16 "Minor" means a person under the age of eighteen.

17 "Wear a safety helmet" means having a safety helmet that:



- 1 (1) Meets the requirements under section 286-C;
- 2 (2) Is on the person's head and is fastened with helmet
- 3 straps; and
- 4 (3) Is of a size that fits the person's head securely
- 5 without excessive lateral or vertical movement.

6 **§286-B Prohibition; operation without a safety helmet.**

7 (a) No minor shall operate, ride, or otherwise be propelled on
8 an all-terrain vehicle unless the minor wears a safety helmet.

9 (b) No person shall lease, rent, loan, or sell an
10 all-terrain vehicle to a minor unless the person furnishes a
11 safety helmet for the minor operating the all-terrain vehicle.

12 **§286-C Safety helmets; rules.** The director shall adopt
13 rules, subject to the requirements of chapter 91, establishing
14 specifications and standards for safety helmets offered for
15 sale, or sold, for use by drivers, operators, and passengers of
16 all-terrain vehicles, as the director determines are necessary
17 for the safety of those drivers, operators, and passengers."

18 SECTION 2. In codifying the new sections added by section
19 1 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.

22 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Shiranne Chun Oakland*



Report Title:

All-terrain Vehicles; Safety; Minors

Description:

Requires safety helmets for minors operating all-terrain vehicles; requires DOT to adopt rules on specification and standards for safety helmets.

