
A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that the use and
2 operation of motorcycles, all terrain vehicles, dune buggies,
3 and dirt bikes is prohibited on unencumbered state land, state
4 parks, forest reserves, and public hunting areas. All motorized
5 vehicles are prohibited from operating on beaches, through
6 vegetation, or on any other area that is not a designated
7 roadway. The use and operation of these vehicles has the
8 potential to desecrate sacred burial grounds, further threaten
9 already endangered species, and harm the natural ecosystem on
10 public lands. However, many people have expressed concerns
11 about the ongoing use of off-road vehicles in Hawaii's most
12 sensitive areas.

13 It is the purpose of this Act to prohibit operation of a
14 motor vehicle on land governed by chapter 171, Hawaii Revised
15 Statutes, except on roads, trails, or tracks designated or
16 provided by the department for vehicular use. This Act makes



1 violation of the prohibition a petty misdemeanor and imposes
2 mandatory fines.

3 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§171- Prohibitions involving motor vehicles. (a) No
7 person shall operate a motor vehicle on land governed by this
8 chapter except on roads, trails, or tracks designated or
9 provided by the department for vehicular use. Any person found
10 guilty of a violation of Chapter 171 or any rules adopted
11 hereunder shall be guilty of a petty misdemeanor and shall be
12 sentenced as follows:

13 (1) For a first offense, by a mandatory fine of not less
14 that \$500 or imprisonment of not more than thirty
15 days, or both;

16 (2) For a second offense within five years of a previous
17 conviction under this section, by a mandatory fine of
18 not less than \$1,000 or imprisonment of not more than
19 thirty days, or both; and

20 (3) For a third or subsequent offense within five years of
21 a second conviction under this section, by a mandatory



1 fine of not less than \$2,000 or imprisonment of not
2 more than thirty days, or both.

3 (b) Any criminal action against a person for any violation
4 under this section shall not be deemed to preclude the State
5 from pursuing civil legal action to recover administrative fines
6 and costs against the person. Any civil legal action against a
7 person to recover administrative fines and costs for any
8 violation of chapter 171 and rules adopted thereunder shall not
9 be deemed to preclude the State from pursuing any criminal action
10 against that person pursuant to this section.

11 (c) For purposes of this section, "motor vehicle" means
12 every vehicle that is self-propelled, or propelled by electric
13 power but not operated on rails, including but not limited to
14 automobiles, trucks, go-carts, motorcycles, motor scooters,
15 mopeds, all-terrain vehicles, and dune buggies whether the
16 vehicle is licensed or unlicensed."

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun, before its effective date.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Motor Vehicles; Unencumbered Lands

Description:

Makes operation of motor vehicles on unencumbered lands, other than on roads, trails, or tracks designated or provided by the department of land and natural resources for vehicular use, a petty misdemeanor and imposes mandatory fines. (SD1)

