

STAND. COM. REP. NO.

454

Honolulu, Hawaii

Feb 19, 2009

RE: H.B. No. 795

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 795 entitled:

"A BILL FOR AN ACT RELATING TO THE PROHIBITION OF MINORS FROM THE USE OF ALL-TERRAIN VEHICLES,"

begs leave to report as follows:

The purpose of this bill is to enhance the health and safety of all-terrain vehicle (ATV) riders under the age of 18 by prohibiting these individuals from operating, riding, or being propelled on an ATV.

The Representative of the 19<sup>th</sup> District and a concerned individual testified in support of this bill. South Seas Cycles and a concerned individual testified in opposition to this measure. The Department of Business, Economic Development, and Tourism submitted comments.

ATVs have been and continue to be used across Hawaii. These vehicles, like any other motorized vehicle, have the potential to cause injury. This risk is even more pronounced when riders are under the age of 18.

While your Committee understands that ATVs are relatively safe and that a majority of those riding ATVs are safety conscious and wear all the proper safety gear, the potential risk of injury to Hawaii's youth is real. Therefore, it is important that steps be taken to prevent the exorbitant amount of health care costs associated with ATV-related injuries and the immeasurable toll and

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grief experienced by family members and loved ones of individuals who suffer these injuries. For this reason, this measure deserves further consideration.

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. 795 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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



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JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

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Record of Votes of the Committee on Transportation

Bill/Resolution No.: <i>HB 795</i>	Committee Referral: <i>TRN, JUD</i>	Date: <i>2/14/09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	✓			
2. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HANOHANO, Faye P.	✓			
5. KEITH-AGARAN, Gilbert S.C.	✓			
6. LEE, Marilyn B.	✓			
7. NAKASHIMA, Mark M.				✓
8. RHOADS, Karl	✓			
9. SAIKI, Scott K.				✓
10. TAKUMI, Roy M.	✓			
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	9	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>Karen Awana</i>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				