

STAND. COM. REP. NO.

45

Honolulu, Hawaii

FEB 12 2009

RE: S.B. No. 1630

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 1630 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the wearing of safety glasses, goggles, or a face shield by a moped operator, and requiring the renter or lessor of a moped to provide the protective devices equipment;
- (2) Require the wearing of a safety helmet by persons intending to operate a moped or motor scooter;
- (3) Remove the requirement that minors wear helmets when operating or riding on motorcycles; and
- (4) Prohibit a three-wheeled moped from operating in a bicycle lane or bicycle lane.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Health, MADD, and State Farm. Testimony in opposition was received from one individual. Testimony in opposition was received from Street Bikers United.



Your Committee finds that operators of mopeds should be required to wear safety glasses, goggles, or a face shield, and other protective devices, as is currently required of operators of motorcycles and motor scooters that are not equipped with windscreens or windshields. Your Committee further finds it is necessary for operators of motorcycles, mopeds, and motor scooters wear a safety helmet. Your Committee believes that wearing a helmet for protection from cranial injuries, irrespective of the skill level of the operator, is a matter of public health. It is your Committee's obligation to protect the public health and safety.

Your Committee further finds that prohibiting three-wheeled mopeds from being driven on bicycle paths and lanes makes sound sense, given the narrowness of bicycle lanes and paths.

Your Committee has amended this measure by retaining the existing requirement that minors that operate or ride on a motorcycle wear helmets and by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1630, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1630, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,




J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1630	TIA, JGO	2-9-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	4	—	—	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes