
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 286-81, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§286-81 Motorcycle, motor scooter, etc.; protective
4 devices. (a) No person shall:

5 (1) Operate a motorcycle or motor scooter, on any highway
6 in the State unless the person and any passenger the
7 person carries on the motorcycle or motor scooter
8 wears:

9 (A) Safety glasses, goggles, or a face shield, in the
10 case of a motorcycle or motor scooter that is not
11 equipped with windscreens or windshields; and

12 (B) [Any] A safety helmet and any other protective
13 devices [~~, other than a safety helmet,~~] required
14 by rules adopted by the director.

15 For the purpose of meeting the requirements of this
16 paragraph, a required device shall meet the
17 specifications and requirements established by rules
18 adopted by the director;



1 (2) Lease or rent a motorcycle or motor scooter to another
2 person unless the person furnishes:

3 (A) Safety glasses, goggles, or a face shield, in the
4 case of a motorcycle or motor scooter that is not
5 equipped with windscreens or windshields; and

6 (B) [~~Any~~] A safety helmet and other protective
7 devices required by the rules adopted by the
8 director for the use of the person or persons
9 intending to operate or ride as a passenger on
10 the motorcycle or motor scooter; provided that
11 any person to whom a motorcycle or motor scooter
12 is leased or rented may furnish for the person's
13 own use the protective devices required by this
14 part.

15 For the purposes of meeting the requirements of this
16 paragraph, a required device shall meet the
17 specifications and requirements established by rules
18 adopted by the director; or

19 (3) Sell or offer for sale or furnish any safety helmet,
20 safety glasses, goggles, face shield, windscreen,
21 windshield, or other protective devices represented to
22 meet the requirements of this part unless the device



1 meets the specifications and requirements established
2 by rules adopted by the director.

3 (b) No person [~~less than eighteen years of age~~] shall
4 operate or ride as a passenger on a motorcycle or motor scooter
5 on any highway in the State unless the person wears a safety
6 helmet securely fastened with a chin strap.

7 [~~(c) A safety helmet shall not be required for any person
8 who operates or rides as a passenger on a motorcycle or motor
9 scooter, provided that the motorcycle or motor scooter:~~

- 10 ~~(1) Has three wheels;~~
- 11 ~~(2) Is powered by an electric motor;~~
- 12 ~~(3) Has a full body enclosed cab; and~~
- 13 ~~(4) Has a seat belt assembly or a child restraint system~~
- 14 ~~for the driver and passenger;~~

15 and the operator and passenger uses the seat belt or child
16 restraint system pursuant to sections 291-11.5 and 291-11.6.] "

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.

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JAN 27 2010



Report Title:

Highway Safety; Safety Helmets

Description:

Requires all operators and passengers of motorcycles and motor scooters to wear safety helmets.

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