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# SENATE CONCURRENT RESOLUTION

REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, POWERFUL MOPEDS, AND ALL-TERRAIN VEHICLES.

1           WHEREAS, the rising cost of petroleum-derived fuels has  
2 caused people in Hawai'i to seek alternative modes of  
3 transportation that are less dependent on petroleum-derived  
4 fuels; and

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6           WHEREAS, traditional bicycles that are powered solely by  
7 human muscle power may not be an attractive transportation  
8 alternative, particularly for commuters who have relatively long  
9 distances to travel; and

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11           WHEREAS, advancements in technology have made it possible  
12 to design and manufacture bicycles with electric motors and  
13 batteries to either supplement or to fully drive bicycles,  
14 making it possible for riders to cover longer distances, such as  
15 with hybrid bicycles that incorporate new technology and are  
16 very similar in size and weight to traditional bicycles; and

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18           WHEREAS, the Segway and two-seat mopeds are also very  
19 popular and are regularly seen on roadways and streets; and

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21           WHEREAS, mopeds are becoming increasingly powerful with  
22 some capable of reaching a speed of 45 miles per hour; and

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24           WHEREAS, Chapter 291C, Hawaii Revised Statutes, relating to  
25 the statewide traffic code defines "bicycle", "moped", "motor  
26 scooter", and "electric personal assistive mobility device"  
27 (Segway), but there is no statutory definition for hybrid  
28 bicycle or two-seat moped, and existing definitions for bicycle,  
29 moped, and motor scooter are outdated; and



1 WHEREAS, the statutes are silent on the safe and permitted  
2 street use of two-seat mopeds, Segways, hybrid bicycles, and  
3 powerful mopeds; and  
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5 WHEREAS, while all-terrain vehicles (ATVs) have become  
6 increasingly popular as off-road recreational vehicles, they  
7 have been known to operate on Hawaii's roadways even though this  
8 is not permitted under current Hawaii law; and  
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10 WHEREAS, according to the Consumer Product Safety  
11 Commission, Hawaii is one of only four states that has no safety  
12 laws in place regarding the use of ATVs and has reported 14 ATV  
13 related deaths from 1982 through 2007; and  
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15 WHEREAS, the streets and roadways in the state vary  
16 considerably in width and congestion, two important factors in  
17 the safe operation of traditional bicycles, mopeds, two-seat  
18 mopeds, Segways, hybrid bicycles, and powerful mopeds; and  
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20 WHEREAS, a comprehensive study to be coordinated by the  
21 Department of Transportation (DOT) and involving the  
22 transportation departments of each county, as well as interested  
23 stakeholders, is necessary to recommend changes to current laws  
24 to accommodate the safe and proper operation of bicycles,  
25 mopeds, two-seat mopeds, Segways, hybrid bicycles, powerful  
26 mopeds, and ATVs; and  
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28 WHEREAS, DOT has recommended such a study in testimony  
29 before the Senate Committee on Transportation, International and  
30 Intergovernmental Affairs; now, therefore,  
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32 BE IT RESOLVED by the Senate of the Twenty-fifth  
33 Legislature of the State of Hawaii, Regular Session of 2010, the  
34 House of Representatives concurring, that DOT is requested to  
35 coordinate a study with the transportation department of each of  
36 the respective counties and with interested stakeholders to  
37 recommend changes to current laws to accommodate the safe and  
38 proper operation of bicycles, mopeds, two-seat mopeds, Segways,  
39 hybrid bicycles, powerful mopeds, and ATVs; and



1 BE IT FURTHER RESOLVED that DOT is requested to report to  
2 the Legislature no later than 20 days prior to commencement of  
3 the Regular Session of 2011 with its findings, recommendations,  
4 and proposed legislation; and  
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6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the Director of  
8 Transportation, Director of Transportation Services of the City  
9 and County of Honolulu, and to the head of each department or  
10 agency for transportation of the counties of Hawaii, Maui, and  
11 Kauai.

