
A BILL FOR AN ACT

RELATING TO THE STATE PARK SYSTEM.

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

1 SECTION 1. The legislature finds that all-terrain vehicle
2 (ATV) rollovers, collisions and ejections can cause serious
3 injuries as well as fatalities. According to the Consumer
4 Product Safety Commission, Hawaii has reported 14 ATV related
5 deaths from 1982 through 2007, with half of those deaths
6 occurring from 2005 to 2007.

7 The legislature further finds that as of December 31, 2007,
8 the U.S. Consumer Product Safety Commission staff had received
9 reports of 8,995 ATV-related deaths nationwide that occurred
10 between 1982 and 2007. This represents a minimum count of ATV-
11 related deaths because not all ATV-related fatalities may be
12 reported.

13 The legislature also finds that according to the U.S.
14 Consumer Product Safety Commission: National Electronic Injury
15 Surveillance System, that the estimated number of emergency room-
16 treated injuries for all ages for the year 2007 was 150,900.
17 That represented an increase from 2006, where the estimated



1 number of emergency room-treated injuries was 146,600. For 2005
2 the figure was 136,700.

3 The legislature also finds that helmets are a piece of
4 equipment that can help save lives. According to the U.S.
5 Consumer Product Safety Commission, as of 2007, 24 of the 50
6 States and the District of Columbia have some form of helmet law
7 with 11 of those states having laws pertaining strictly to
8 minors. Hawaii does not have a helmet law regarding ATVs, and
9 Hawaii, Mississippi, Montana, Wyoming are the only states, along
10 with the District of Columbia, that do not have any safety laws
11 pertaining to ATVs. In Hawaii, there are no specific laws
12 prohibiting their use on private property, but there are other
13 laws that prevent them from operating on public roads.

14 According, the purpose of this Act is to prohibit the
15 operation of all-terrain vehicles in state parks and recreation
16 areas without the use of safety helmets.

17 SECTION 2. Chapter 184, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:

20 **"§184-A Prohibition; operation without a safety helmet.**

21 **(a) No person shall operate, ride, or be otherwise**



H.B. NO. 2907

1 propelled on an all-terrain vehicle within the state park system
2 unless the person wears a safety helmet."

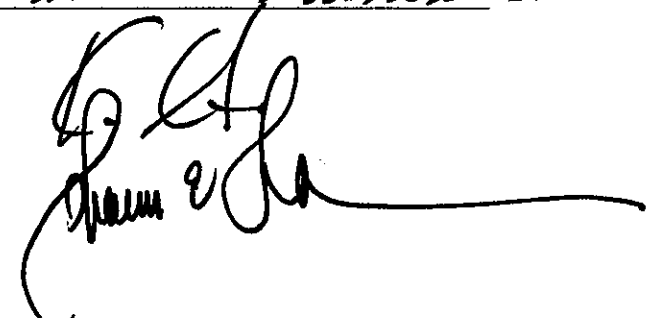
3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Barbara Mammoto


JAN 27 2010



Report Title:

State park system

Description:

Prohibits the use of ATV's within the state park system without the use of a safety helmet. Prohibits minors from operating ATV's within the state park system.

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