

HOUSE OF REPRESENTATIVES
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

H.B. NO. 2952

A BILL FOR AN ACT

RELATING TO MOPEDES.

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

SECTION 1. The legislature finds that although mopeds represent an inexpensive personal transportation alternative to motorcycles or automobiles, some operators modify mopeds in ways that make them unsafe and a public nuisance. Specifically, some operators disable or modify the speed governors on mopeds, allowing the moped to be operated at speeds in excess of safe and legal limits. Other operators choose to modify the exhaust system on mopeds to make a moped more powerful and much noisier than design or legal limits, posing a safety threat to the operator and pedestrians as well as increasing noise pollution in residential neighborhoods.

The legislature further finds that current state law requires mopeds to affix a small decal to the lower portion of the moped's rear fender, and that the small size of the decal makes it difficult for law enforcement officials to decipher the numerals in order to report a crime committed by a moped operator.

The legislature also finds that under current law, with regards to many fees and registration, mopeds are treated like bicycles. However, in terms of safety and specifications, mopeds are more akin to motorcycles, and some users attempt to blur that difference, especially through modifications of power and noise.

Accordingly, the purpose of this Act is to create a task force to

explore the feasibility of treating mopeds like motorcycles in certain instances.

SECTION 2. There is established a task force on mopeds within the state department of transportation for the purpose of exploring the feasibility of treating mopeds like motorcycles in certain instances. The task force shall consist of the following members:

- (1) The director of transportation, or his designee, who shall be the chairperson of the committee;
- (2) A representative of each county's respective transportation department or division;
- (3) A member of the moped industry; as selected by industry members;
- (4) The attorney general, or his designee; and
- (5) A representative of each county's police department.

SECTION 3. The task force shall compile a feasibility report on treating mopeds like motorcycles in certain instances, including, but not limited to, areas of safety, registration, fees, licensing, operation, and modifications. The report shall also include proposed legislation, if any, for enactment. The report shall be delivered to the legislature no later than twenty days prior to the convening of the 2011 Regular Session.

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

INTRODUCED BY: _____

Report Title:

Mopeds

Description:

Convenes a task force to explore the feasibility of treating mopeds like motorcycles in certain instances.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 3, 2010

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 2952

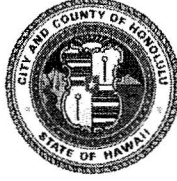
COMMITTEE ON TRANSPORTATION

The Department of Transportation does not believe that this bill is necessary to convene a special moped task force to explore the feasibility of treating mopeds like motorcycles in certain instances with respect to safety, registration, fees, licensing, operation and modifications because current state laws, Hawaii Revised Statutes Part XVI Special Rules for Mopeds, §291C-191 to §291C-207, and Hawaii Administrative Rules §19-131, Required Equipment on Mopeds, already address these areas of concern. Current state laws and administrative rules for mopeds are consistent with the Federal Motor Vehicle Safety Standards as prescribed in Title 49, Code of Federal Regulations.

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR



WAYNE Y. YOSHIOKA
DIRECTOR

SHARON ANN THOM
DEPUTY DIRECTOR

February 2, 2010

The Honorable Joseph M. Souki, Chair
and Members of the Committee on Transportation
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

Subject: House Bill No. 2952 – Relating to Mopeds

The Department of Transportation Services supports House Bill No. 2952, which would convene a task force to explore the feasibility of treating mopeds like motorcycles in certain instances. We agree that this matter requires further evaluation, and we will be happy to serve on the task force when it is convened.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wayne Y. Yoshioka".

Wayne Y. Yoshioka
Director