



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 9, 2009

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SENATE BILL NO. 1630

COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND  
INTERGOVERNMENTAL AFFAIRS

Senate Bill 1630 mandates that persons operating or riding a moped or motor scooter on any highway wear a safety helmet fastened with a chin strap. This bill also prohibits three-wheeled mopeds from using bicycle lanes and bicycle paths.

**The Department of Transportation supports this bill**, however we request amendments. We respectfully request that the current statutes, which require helmet usage for minors riding motorcycles and prohibits an individual from riding a moped as a passenger not be amended. In order accomplish this, we recommend using language in Senate Bill 987.

Current state law requires persons under the age of eighteen years old who operate or ride as a passenger on a motorcycle or motor scooter to wear a safety helmet because these younger riders are inexperienced and the helmet provides the necessary protection from serious head injury if they are involved in a traffic crash. Current state law also prohibits persons from riding mopeds as passengers.

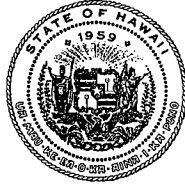
We do believe that Senate Bill 1630 will help to reduce fatalities and injuries on our roadways because safety helmets save lives. The legislation will help to enhance safety for moped and motor scooter riders who are the most vulnerable highway users because they are so exposed. They also tend to be the most inexperienced highway users, as compared to the majority of motorcycle riders who typically take the motorcycle rider education courses.

Hawaii had the 3<sup>rd</sup> highest fatality rate in motorcycle related crashes based on 2006 statistics from the National Highway Traffic Safety Administration (NHTSA). According to NHTSA, a person without a safety helmet that operates a moped or motor scooter is 40 percent more likely to suffer a fatal head injury. In addition, it is estimated that safety helmets can reduce the likelihood of a crash fatality by 37 percent.

Head injury is a leading cause of death in moped and motor scooter crashes. Wearing a safety helmet is the single most effective way to prevent head injury resulting from a moped or motor scooter crash.

The Department also supports the provision in this bill, which prohibits three-wheeled mopeds to be driven in a bicycle lanes and bicycle paths. Three-wheeled mopeds are wider than two-wheeled mopeds. Due to their larger mass, they do not mix well with bicycles and two-wheeled mopeds in a confined area such as a bike lane or bike path. Prohibiting the use of three-wheeled mopeds on bike lanes and bike paths will promote safety in these areas by allowing the people and vehicles for which these facilities were designed for, adequate space to move about safely.

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Senate Committee on Transportation, International and Intergovernmental Affairs**

**SB 1630 RELATING TO TRANSPORTATION**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**February 9, 2009, 1:35 p.m.**

1 **Department's Position:** The Department of Health appreciates the intent of SB 1630, but, respectfully,  
2 prefers the language from the Administration bill SB 987, which specifically emphasizes mandatory  
3 helmet use for all moped and motor scooter riders. We oppose allowing passengers on mopeds as they  
4 are designed for one rider only. A mandatory helmet law is the single most effective means of  
5 preventing death and reducing the severity of non-fatal head injury in moped and motor scooter crashes.

6 In regards to Section 291C-197 of SB 1630, the Department of Health defers to the DOT on  
7 recommendations regarding prohibiting three-wheeled mopeds in a bicycle lane.

8 **Fiscal Implications:** None.

9 **Purpose and Justification:** Unhelmeted moped or motor scooter riders of all ages are at risk for head  
10 injury, which is the leading cause of death and disability in moped crashes. Head injuries can produce  
11 effects, which are, disabling, long lasting and extremely costly. Safety helmets are the single most  
12 effective means of preventing death and reducing the severity of non-fatal head injury in moped or  
13 motor scooter crashes.

14 Each year in Hawaii, an average of 5 moped riders are killed, and an average of 295 are involved  
15 in major crashes, 93 percent of who suffer injuries (2000-2007). According to DOT crash data only 7%  
16 of moped riders involved in crashes were wearing helmets. Of the 33 moped riders killed, from 2001-

1 2007; none wore a helmet at the time of the crash. Nearly two-thirds (62.5%) of these fatalities had  
2 sustained a traumatic brain injury. Among the riders admitted to Queen's Medical Center, traumatic  
3 brain injury was nearly twice as likely among those not wearing helmets (65%) compared to those  
4 wearing helmets (38%).

5 Universal helmet laws can prevent injuries and are fiscally responsible. In Hawaii, for every  
6 moped or motorcycle fatality there are 13 hospitalizations and 37 emergency department visits.  
7 According to Queen's Hospital Financial System data, from 2005-2007 the average cost for an  
8 unhelmeted moped rider who suffers from a traumatic brain injury is 67% higher than helmeted moped  
9 rider who suffers from a traumatic brain injury (\$63,242 vs. \$42,250). Currently Medicaid, Medicare or  
10 Quest incurs an average of 22.5% of the charges for head injuries related to moped, motor scooter and  
11 motorcycle crashes.

12 Mandatory helmet laws are recommended by the Center for Disease Control and Prevention  
13 (CDC), National Highway Traffic Safety Administration (NHTSA), Governors Highway Safety  
14 Association. In addition, they are a recommended strategy in the Hawaii Strategic Highway Safety Plan  
15 (SHSP), and are considered cost effective, enforceable and successful at reducing traffic related deaths  
16 and injuries.

17 Thank you for the opportunity to testify.

**From:** Carolyn Fujioka [carolyn.fujioka.atxn@statefarm.com]  
**Sent:** Friday, February 06, 2009 4:31 PM  
**To:** TIATestimony  
**Subject:** Testimony SB1630 Feb 9

**Testimony to the Senate Committee on Transportation, International and Intergovernmental Affairs  
Monday, Feb. 9, 2009 1:35 p.m.  
Conference Room 224, State Capitol**

**Re: Senate Bill 1630 Relating to Transportation**

Chair English, Vice-Chair Gabbard, and committee members:

I am Carolyn Fujioka on behalf of State Farm Mutual Automobile Insurance Company, a mutual company owned by its policyholders. **State Farm supports SB1630.**

State Farm is vitally concerned with reducing motorized vehicle injuries and deaths on and off roadways. In the interests of our policyholders who ride mopeds, all-terrain vehicles, motorcycles, and other motorized vehicles, and for all of us who pay for the medical and societal costs incurred from the fatalities and severe head injuries of non-helmeted riders, State Farm supports a helmet law and appropriate fines for violations.

Programs that promote voluntary use of helmets do not achieve the high levels of helmet use found in helmet law states. We urge your favorable consideration of SB 1630.

Thank you for the opportunity to testify.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 05, 2009 1:35 PM  
**To:** TIATestimony  
**Cc:** tikicyclesunlimited@hotmail.com  
**Subject:** Testimony for SB1630 on 2/9/2009 1:35:00 PM

Testimony for TIA 2/9/2009 1:35:00 PM SB1630

Conference room: 224  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Joseph Edsman  
Organization: Individual  
Address:  
Phone:  
E-mail: [tikicyclesunlimited@hotmail.com](mailto:tikicyclesunlimited@hotmail.com)  
Submitted on: 2/5/2009

Comments:  
I oppose this bill.