
A BILL FOR AN ACT

RELATING TO USE OF SAFETY HELMETS.

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

1 SECTION 1. The legislature finds that all-terrain vehicle
2 (popularly known as ATV) rollovers, collisions, and ejections
3 can cause serious or fatal injuries. The increase in popularity
4 of all-terrain vehicles has produced a number of harrowing
5 statistics, both locally and nationally. According to the
6 United States Consumer Product Safety Commission, Hawaii
7 reported fourteen all-terrain vehicle-related deaths from 1982
8 through 2008. During that same time period, there were 9,633
9 deaths reported nationally. The actual number of all-terrain
10 vehicle-related deaths may be higher, as a number of fatalities
11 may go unreported.

12 Helmet use can save lives. Hawaii is one of a handful of
13 states that do not have laws that promote the safe use of all-
14 terrain vehicles. Although current law does not permit an all-
15 terrain vehicle to be operated on public roads, all-terrain
16 vehicles are operated on public and private lands for a variety
17 of purposes, including farming, recreation, and hunting.



1 The legislature further finds that, according to the United
2 States Consumer Product Safety Commission's National Electronic
3 Injury Surveillance System, an estimated 135,100 all-terrain
4 vehicle-related injuries were treated in hospital emergency
5 departments nationwide in 2008. Between 2005 and 2009, Queen's
6 Medical Center treated sixty-two all-terrain vehicle accident
7 victims, thirty-nine of whom were known to be riding without a
8 helmet. Requiring the use of helmets would contribute to the
9 protection of the public health and safety.

10 Accordingly, the purpose of this Act is to require the use
11 of safety helmets when operating all-terrain vehicles.

12 SECTION 2. Chapter 286, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§286- Prohibition; operation without a safety helmet.

16 (a) No person shall operate, ride, or be otherwise propelled on
17 an all-terrain vehicle without wearing a safety helmet securely
18 fastened with a chin strap."

19 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

Ashiana Mammets

JAN 19 2011



H.B. NO. 17

Report Title:

All-Terrain Vehicles; Helmets

Description:

Prohibits the use of all-terrain vehicles without wearing a safety helmet.

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