

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HELMET USE.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to part XIV be appropriately
3 designated and to read as follows:

4 "§291C- Motorcycle helmets. No person shall operate a
5 motorcycle or ride as a passenger on a motorcycle upon a street
6 or highway, unless that person is wearing a properly fitted and
7 fastened motorcycle helmet that is approved in accordance with
8 the standards of the Federal Motor Carrier Safety
9 Administration, 49 Code of Federal Regulations Section 571.218.

10 (b) A person who provides motorcycles for hire shall not
11 rent a motorcycle to any person unless that person is wearing a
12 motorcycle helmet approved, as required in subsection (a).

13 (c) A violation of this section is punishable by a fine of
14 not more than \$.

15 (d) Notwithstanding any law to the contrary, the fines
16 collected for a violation of this section shall be paid into the
17 state treasury to the credit of the general fund."



1 SECTION 2. Section 291C-150, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) No person [~~under sixteen years of age~~] shall operate
4 a bicycle upon a street, bikeway, or any other public property
5 unless that person is wearing a properly fitted and fastened
6 bicycle helmet that has been tested by a nationally recognized
7 agency such as the National Highway Traffic Safety
8 Administration, the National Safety Council, or the Children's
9 Safety Network, and is designed to fit the user and protect
10 against head trauma. This requirement also applies to a person
11 who rides upon a bicycle while in a restraining seat that is
12 attached to the bicycle or who rides in a trailer towed by the
13 bicycle.

14 (b) A person who provides bicycles for hire shall not rent
15 a bicycle to any person unless [~~every~~] that person [~~who is under~~
16 ~~age sixteen~~] is wearing a bicycle helmet, as required in
17 subsection (a), while operating the rented bicycle, occupying a
18 restraining seat that is attached to the rented bicycle, or
19 riding in a trailer towed by the rented bicycle."

20 SECTION 3. Section 291C-195, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) No person less than fifteen years of age shall drive
2 a moped on a highway, street, roadway, or any other public
3 property in the State.

4 No person [~~less than eighteen years of age~~] shall drive a
5 moped or a three-wheeled moped or ride a moped or a three-
6 wheeled moped as a passenger unless the person wears a [safety
7 ~~helmet securely fastened with a chin strap. The safety helmet~~
8 ~~shall meet the specifications and requirements established by~~
9 ~~rules adopted by the director.~~] properly fitted and fastened
10 motorcycle helmet that is approved in accordance with the
11 standards of the Federal Motor Carrier Safety Administration, 49
12 Code of Federal Regulations Section 571.218."

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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A

Report Title:

Helmets

Description:

Requires helmet use for bicycles, mopeds, and motorcycles.

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

