
A BILL FOR AN ACT

RELATING TO SAFETY EQUIPMENT.

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

1 SECTION 1. Section 286-81, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§286-81 Motorcycle, motor scooter, [ete.]~~ moped;
4 protective devices. (a) No person shall:

5 (1) Operate a motorcycle [~~or~~], motor scooter, or moped, on
6 any highway in the State unless the person and any
7 passenger the person carries on the motorcycle [~~or~~],
8 motor scooter, or moped wears:

9 (A) [~~Safety glasses, goggles, or a face shield, in~~
10 ~~the case of a motorcycle or motor scooter that is~~
11 ~~not equipped with windscreens or windshields;~~
12 ~~and~~] A safety helmet securely fastened with a
13 chin strap; and

14 (B) Any other protective devices [~~, other than a~~
15 ~~safety helmet,~~] required by rules adopted by the
16 director.

17 For the purpose of meeting the requirements of this
18 paragraph, a required device shall meet the



1 specifications and requirements established by rules
2 adopted by the director; or

3 (2) Lease or rent a motorcycle [~~or~~], motor scooter, or
4 moped to another person unless the person furnishes:

5 (A) [~~Safety glasses, goggles, or a face shield, in~~
6 ~~the case of a motorcycle or motor scooter that is~~
7 ~~not equipped with windcreens or windshields;~~
8 and] A safety helmet securely fastened with a
9 chin strap; and

10 (B) Any other protective devices required by the
11 rules adopted by the director for the use of the
12 person or persons intending to operate or ride as
13 a passenger on the motorcycle [~~or~~], motor
14 scooter[~~or~~], or moped; provided that any person to
15 whom a motorcycle [~~or~~], motor scooter, or moped
16 is leased or rented may furnish for the person's
17 own use the protective devices required by this
18 [~~part.~~] paragraph.

19 For the purposes of meeting the requirements of this
20 paragraph, a required device shall meet the
21 specifications and requirements established by rules
22 adopted by the director[~~or~~].



1 ~~[(3) Sell or offer for sale or furnish any safety helmet,~~
2 ~~safety glasses, goggles, face shield, windscreen,~~
3 ~~windshield, or other protective devices represented to~~
4 ~~meet the requirements of this part unless the device~~
5 ~~meets the specifications and requirements established~~
6 ~~by rules adopted by the director.~~

7 ~~(b) No person less than eighteen years of age shall~~
8 ~~operate or ride as a passenger on a motorcycle or motor scooter~~
9 ~~on any highway in the State unless the person wears a safety~~
10 ~~helmet securely fastened with a chin strap.~~

11 ~~(e)]~~ (b) A safety helmet shall not be required for any
12 person who operates or rides as a passenger on a motorcycle or
13 motor scooter; provided that the motorcycle or motor scooter:

- 14 (1) Has three wheels;
- 15 (2) Is powered by an electric motor;
- 16 (3) Has a full body enclosed cab; and
- 17 (4) Has a seat belt assembly or a child restraint system
18 for the driver and passenger;

19 and the operator and passenger uses the seat belt or child
20 restraint system pursuant to sections 291-11.5 and 291-11.6."

21 SECTION 2. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



H.B. NO. 181

1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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[Signature]

JAN 20 2011



Report Title:

Safety Equipment; Mopeds

Description:

Makes moped riders subject to safety equipment requirements. Requires use of helmets in addition to any other protective devices required by rules adopted by the director. Repeals specific requirements relating to use of safety glasses, goggles, or face shields. Makes conforming amendments related to requirements of sellers of protective equipment. Repeals provisions requiring sellers of safety equipment to meet safety specifications adopted by the director of transportation.

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