

STAND. COM. REP. NO.

129

Honolulu, Hawaii

Feb 9, 2011

RE: H.B. No. 1096

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1096 entitled:

"A BILL FOR AN ACT RELATING TO MOPEDED INSTRUCTION PERMITS,"

begs leave to report as follows:

The purpose of this bill is to increase highway safety and conform current statutory language regarding mopeds by:

- (1) Clarifying that permit holders may operate a moped without being accompanied by a person 21 years of age or older who is licensed to operated a moped; and
- (2) Restricting the operation of mopeds by temporary instruction permit holders during hours of darkness and prohibiting them from carrying passengers.

The Department of Transportation and Honolulu Police Department testified in support of this bill.

Currently, instruction permit holders operating motor scooters and motorcycles are exempt from the requirement of being accompanied by an individual who is 21 years of age or older and holds a license to operate a motor scooter or motorcycle. This exemption is mainly for safety reasons as riding on a two-wheeled vehicle with a passenger is more challenging and inherently more dangerous than riding alone. However, this exemption does not exist for permit holders operating mopeds. Given the safety concerns and the fact that current law prohibits operators of two-

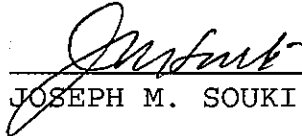
HB1096 HSCR TRN HMS 2011-1757



wheeled mopeds from carrying passengers, your Committee finds this exemption logical and practical.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1096 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 1096	Committee Referral: TRN, JUD	Date: 2/2/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia				✓
7. SAIKI, Scott K.	/			
8. TAKUMI, Roy M.	/			
9. YAMASHITA, Kyle T.	/			
10. FONTAINE, George R.	/			
11. JOHANSON, Aaron Ling	/			
TOTAL (11)	10			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
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