

Honolulu, Hawaii

Feb 9, 2011

RE: H.B. No. 1098

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. 1098 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION,"

begs leave to report as follows:

The purpose of this bill is to promote highway safety by clearly defining the type of after-market motorcycle frames that may be registered for, and used on, Hawaii's roads. Specifically, this measure:

- (1) Requires after-market motorcycle frames to be:
  - (A) Manufactured to replace the frame of a motorcycle and is certified by the manufacturer as being compliant with all applicable Federal Motor Vehicle Safety Standards (FMVSS); or
  - (B) The frame of a homemade motorcycle that was manufactured not-for-profit by a person who built the motorcycle as a hobby;
- (2) Allows the County Director of Finance to register a motorcycle with an after market frame by using the vehicle identification number that is on the certification label or assigned by the county Director of Finance; and



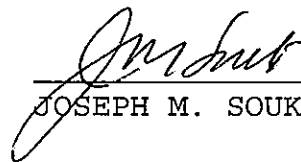
- (3) Does not allow for the registration of motor vehicles and other devices which are not compliant with FMVSS, with various exceptions, including after-market motorcycle frames.

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

Under existing law, motorcycles with after market frames are among the only vehicles that may be registered even though they are not certified by their manufacturers to be in compliance with all applicable FMVSS as of the date of manufacture. This exception for motorcycles was intended to accommodate hobbyists who modify or build their own motorcycles. However, an unintended consequence of this exception has been that it has allowed motorcycle manufacturers to circumvent the FMVSS and sell uncertified motorcycles for use on public roads. It has also allowed motorcyclists to register and use off-road-only motorcycles on the public roads. While preserving the exception for hobbyists, this measure prohibits the registration of a motorcycle that is not certified by the manufacturer to be in compliance with the FMVSS.

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. 1098 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,

  
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JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 130

**Record of Votes of the Committee on Transportation**

Bill/Resolution No.: <b>HB 1098</b>	Committee Referral: <b>TRN, JUD</b>	Date: <b>2/2/11</b>		
<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	/			
<b>TOTAL (11)</b>	<b>10</b>			<b>1</b>
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; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				