

STAND. COM. REP. NO.

813

Honolulu, Hawaii

March 8, 2011

RE: H.B. No. 18

H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 18 entitled:

"A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES,"

begs leave to report as follows:

The purpose of this bill is to enhance the public's health and safety, especially that of minors, by establishing regulations for the operation of all-terrain vehicles, most notably by prohibiting persons under the age of 18 from operating or riding an all-terrain vehicle.

The Queen's Medical Center, Injury Prevention Advisory Committee, and American Medical Response testified in support of this bill. The Hawaii Motorsports Association, Hawaii Motorcycle Dealers Association, Montgomery Motors, Sand Island Off-Highway Vehicle Association, and many concerned individuals opposed this bill. Kalaeloa Raceway Park and several individuals provided comments.

Your Committee notes a need for regulation to protect minors from the danger of injury and death involved in the use of all-terrain vehicles. However, your Committee finds a complete ban to be an improper solution. Accordingly, your Committee has incorporated model language into the bill provided by the Specialty Vehicle Institute of America to establish a more reasonable scheme of safety regulations.

HB18 HD1 HSCR JUD HMS 2011-2804



Your Committee has amended this bill by:

- (1) Incorporating more detailed provisions for age restrictions and equipment requirements; and
- (2) Changing the effective date to January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 18, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 18, H.D. 1.

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



GILBERT KEITH-AGARAN, Chair



