

Honolulu, Hawaii

Feb 16, 2012

RE: H.B. No. 2277

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2277 entitled:

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

begs leave to report as follows:

The purpose of this measure is to enhance the health and safety of all-terrain vehicle riders, especially those under the age of sixteen by prohibiting:

- (1) Minors under the age of sixteen from using all-terrain vehicles;
- (2) The use of all-terrain vehicles on public roadways;
- (3) Passengers from riding on all-terrain vehicles;
- (4) The use of all-terrain vehicles between sunset and sunrise; and
- (5) All-terrain vehicles from being operated without the use of a helmet.

The Maui Police Department, Concerned Families for ATV Safety, and several concerned individuals testified in support of this measure. Street Biker's United, Kalaeloa Raceway Park, and several concerned individuals testified in opposition to this measure.



All-terrain vehicles have been and continue to be used across Hawaii. These vehicles, like any other motorized vehicle, have the potential to cause injury. This risk is even more pronounced when riders are under the age of 16. In fact the statistics are sobering. According to the United States Consumer Product Safety Commission, in 2010, all-terrain vehicles killed 55 children younger than the age of sixteen and caused approximately 28,300 serious injuries among this age group.

While your Committee understands that all-terrain vehicles are relatively safe and that a majority of those riding all-terrain vehicles are safety-conscious and wear all the proper safety gear, the potential risk of injury to those riding these vehicles, especially Hawaii's youth, is real. Therefore, it is important that steps be taken to prevent the exorbitant amount of health care costs associated with all-terrain vehicle-related injuries and the immeasurable toll and grief experienced by family members and loved ones of individuals who suffer these injuries. For this reason, your Committee finds that establishing certain prohibitions on the use of all-terrain vehicles deserves further consideration.

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. 2277 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



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR466-12

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2277	Committee Referral: TRN, JUD	Date: 2/13/12		
<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. OKAMURA, Tom				
8. SAIKI, Scott K.		/		
9. TAKUMI, Roy M.	/			
10. YAMASHITA, Kyle T.	/			
11. FONTAINE, George R.	/			
12. JOHANSON, Aaron Ling	/			
TOTAL (12)	8	2		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; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
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