

Honolulu, Hawaii

Feb 16 , 2012

RE: H.B. No. 2356
H.D. 1

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. 2356 entitled:

"A BILL FOR AN ACT RELATING TO MOPEDS,"

begs leave to report as follows:

The purpose of this measure is to improve traffic safety by further regulating mopeds. Among other things, this measure prohibits:

- (1) The driver of a moped from carrying any package, bundle, or other article which prevents the person from keeping both hands on the handlebars;
- (2) The operation of a moped with handlebars more than 15 inches in height above that portion of the seat occupied by the driver;
- (3) The driver of a moped from overtaking and passing in the same lane occupied by the vehicle being overtaken; and
- (4) The operation of a moped between lanes of traffic or between adjacent lines or rows of vehicles.

The Department of Transportation, Honolulu Police Department, and a concerned individual testified in support of this measure. A concerned individual provided comments.



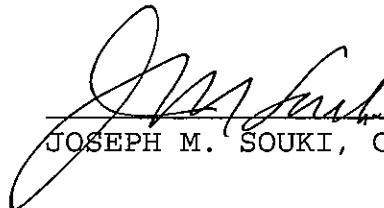
Mopeds can be a convenient and inexpensive form of transportation, especially during difficult economic times and when the price of fuel continues to rise. However, the size and weight of a moped also make it a vulnerable vehicle on Hawaii's roadways. Maintaining full control of a moped and operating this vehicle with extreme caution is imperative. Your Committee finds that further regulating the operation of mopeds on our roadways will make the roadways safer for our community.

However, three-wheeled mopeds can also raise particular traffic safety issues. Your Committee finds that when the Legislature allowed a passenger to ride in a three-wheeled moped that was designed to carry two people seated side-by-side like in an automobile, the age of the passenger was not considered. Since that time, concerns have been raised that individuals younger than eight years of age are being carried as passengers on three-wheeled mopeds, which do not offer the same protections that are available in crash-tested automobiles. In addition, the three wheel construction of this type of moped and its lightweight structure may make it more susceptible to overturning and greatly enhance the vulnerability of its occupants in the event of a crash.

Your Committee has amended this measure by prohibiting three-wheeled mopeds from carrying passengers under the age of 16.

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. 2356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2356, H.D. 1, 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

HS CR 462-12

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2356	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 type="checkbox"/> Pass, unamended (as is) <input checked="" 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)	10			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>J. Linda Ichiyama</u>				
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