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GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
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In reply, please refer to:
File:

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House Committee on Judiciary

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HB 2277, RELATING TO ALL-TERRAIN VEHICLES.

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Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

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Thursday, March 1, 2012, 2:00PM

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Department's Position: The Department of Health supports the intent of HB2277 and offers comments.

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Fiscal Implications: None.

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Purpose and Justification: The Department of Health supports the intent of this measure to protect

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operators of ATVs from injuring themselves and their passengers by not following manufacturer's

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recommendations for ATV use and operating these vehicles without helmets. There is statewide data

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that supports the need to regulate the use of ATVs by minors and to mandate the use of helmets. In

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Hawaii, there has been an increase over time in fatal and non-fatal injuries to ATV riders, including

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minors. A majority of the ATV riders under age 19 who were injured were not wearing a helmet at the

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time of the crash.

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The Department concurs with information provided by the Honolulu Police Department and the

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Department of Transportation. Under the existing Traffic code, HRS 291C which this bill amends,

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ATVs cannot be registered, licensed, or receive a safety check, thus they cannot be operated on public

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roadways. We believe that the intentions of this bill would be enhanced by codification in chapters

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relating to national, state, and county public lands, where agencies have explicit rule-making authority to

regulate the use of vehicles and ATVs on public lands.

- 1 We commend the legislature for being concerned about the issue.
- 2 Thank you for the opportunity to testify on this measure.



Hawaii Farm Bureau
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March 1, 2012

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY

TESTIMONY ON HB 2277
RELATING TO ALL-TERRAIN VEHICLES

Room 325
2:01 PM

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF provides the following comments to HB 2277 which prohibits minors from using all-terrain vehicles, prohibits the use of all-terrain vehicles on public roadways, prohibits passengers from riding on all-terrain vehicles, prohibits the use of all-terrain vehicles between sunset and sunrise, and prohibits the use of all-terrain vehicles without a helmet.

HFBF agrees that safety should be a priority concern. However, the prohibitions proposed in HB 2277 would negatively impact Hawaii's agricultural industry. Hawaii's farmers and ranchers depend on the use of ATVs on their agricultural operations. Restricting the use of ATVs between sunset and sunrise for agricultural operations is unreasonable. Our farmers and ranchers start long before sunrise and often are still working long after the sun goes down.

Restricting children under the age of sixteen could also severely impact a farm or ranch operation. Children have always been a part in agriculture, especially in family owned and operated businesses. The proposed ATV age restriction in HB 2277 could prevent children from family farms or ranches from being able to perform certain tasks necessary for their family's farm or ranch operations.

ATVs are often used by farmers and ranchers to get to and from their field or pasture, sometimes utilizing public roadways to do so. HB 2277 would prohibit this means of transportation, which would result in the use of trucks instead. ATVs are more fuel

efficient and more environmentally friendly than trucks and their use in agriculture cuts down the number of trucks farmers and ranchers would otherwise need.

HFBF supports the intent of this measure but requests that farming and ranching operations are exempt from the prohibitions in HB 2277.

I can be reached at (808) 848-2074 if you have any questions. Thank you for the opportunity to testify on this matter.