

Honolulu, Hawaii

FEB 12 2013

RE: S.B. No. 484

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 484 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require applicants for category 2 (motorcycle and motor scooter) licenses to designate whether the applicant elects to wear a safety helmet with a chin strap at all times when operating the vehicle;
- (2) Establish a rate and minimum county vehicle weight tax on motorcycles and motor scooters for owners of motorcycles and motor scooters electing to wear safety helmets, which shall be the same as provided for passenger vehicles, under certain conditions;
- (3) Establish a rate and minimum county vehicle weight tax on motorcycles and motor scooters for owners who cannot prove that they elected to wear a safety helmet which shall be double the tax for passenger vehicles;
- (4) Clarify penalties for failure to wear safety helmet for drivers electing to wear safety helmet; and
- (5) Require the county councils to determine increased application fees for instruction permits, provisional



licenses, and driver's licenses for applicants who do not elect, on the application, to wear a safety helmet at all times when operating a motorcycle or motor scooter.

Your Committee received testimony in support of this measure from the Department of Health, Examiner of Drivers, Mothers Against Drunk Driving, Injury Prevention Advisory Committee, Maui Memorial Medical Center, The Queen's Medical Center, and fifteen individuals. Testimony in opposition was received from the Honolulu Police Department, Street Bikers United of Hawaii and of Maui, Foundation Motorcycle Club, and numerous individuals. Comments were received from four individuals.

Your Committee finds that this measure offers a financial incentive to riders who elect on driver's license applications that they will wear a helmet when operating their motorcycle or motor scooter. This measure focuses on increasing helmet usage by encouraging the positive choice of wearing a safety helmet to protect riders from death and injury.

Your Committee has considered various methods and incentives to motivate motorcycle and motor scooter riders to use safety helmets, other than making the use of safety helmets mandatory. Instead of taking a punitive approach by doubling the motor vehicle weight tax and application fee for instruction permits, provisional licenses, and driver's licenses, your Committee believes a compassionate approach is to simply provide a discount for those who elect to wear safety helmets.

Your Committee has amended this measure by:

- (1) Further enhancing the incentive for motorcycle and motor scooter owners to elect to wear a safety helmet by providing an additional discount of \$50 to the rate and minimum county vehicle tax for motorcycles and motor scooters;
- (2) Deleting the increased rate and minimum county vehicle tax for motorcycle and motor scooters owners who cannot prove that they have elected to wear a safety helmet;
- (3) Deleting the mandated additional fee for instruction permits, provisional licenses, and driver's licenses for applicants who do not elect to wear a safety helmet; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 484, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 484, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,




J. KALANI ENGLISH, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 484	TIA, WAM	2-6-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			✓
DELA CRUZ, Donovan M. (VC)				✓
ESPERO, Will	✓			
GABBARD, Mike			✓	
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.		✓		
KOUCHI, Ronald D.	✓			
SOLOMON, Malama		✓		
SLOM, Sam			✓	
TOTAL	4	2	2	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes