

**GOV. MSG. NO. 1171**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 30, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 30, 2014, the following bill was signed into law:

SB2726 SD2 HD1

RELATING TO TRANSPORTATION  
**ACT 071 (14)**

*Sincerely,*  
A handwritten signature in black ink that reads "Neil Abercrombie".

NEIL ABERCROMBIE  
Governor, State of Hawaii

100-100000

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RECEIVED  
THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 286, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§286-    All-terrain vehicle; utility-terrain vehicle;  
5 permitted use. (a) All-terrain vehicles and utility-terrain  
6 vehicles may be operated on a street, as defined in section  
7 291C-1; provided that the all-terrain vehicle or utility-terrain  
8 vehicle is:

- 9           (1) Used as farm equipment, or used by a city, county, or  
10           state worker while acting within the scope of that  
11           person's official duties;  
12           (2) Operated by a person who holds a current category (3)  
13           driver's license under section 286-102 or a commercial  
14           driver's license under part XIII;  
15           (3) Driven on streets that are no more than two lanes,  
16           with posted speed limits of no more than thirty-five  
17           miles per hour;



- 1        (4) Used to travel between properties zoned for  
2        agriculture, or used by a city, county, or state  
3        worker while acting within the scope of that person's  
4        official duties to travel between properties under the  
5        jurisdiction of the city, county, or state;
- 6        (5) Used in counties with populations of less than five  
7        hundred thousand residents; and
- 8        (6) Driven on streets during daylight hours; provided  
9        further that while in operation, any operator and  
10       passenger of an all-terrain vehicle or utility-terrain  
11       vehicle shall wear a safety helmet with a securely  
12       fastened chin strap that meets the specifications and  
13       requirements established by rules adopted by the  
14       director.
- 15       (b) For purposes of this section:
- 16       "All-terrain vehicle" means a motor vehicle that:
- 17       (1) Is designed for off-highway operation by a single  
18       operator carrying no more than one passenger, if so  
19       designed as provided in paragraph (5) of this  
20       definition;
- 21       (2) Is fifty inches or less in width;
- 22       (3) Has an unladen weight of nine hundred pounds or less;



- 1        (4) Is suspended on three or more tires;
- 2        (5) Has a single seat designed to be straddled by the
- 3                operator, or a single seat designed to be straddled by
- 4                the operator and a seat for not more than one
- 5                passenger sitting behind the operator; and
- 6        (6) Has handlebars for steering control.

7        "Farm equipment" refers to any kind of machinery used on a  
8 farm to help with farming, including but not limited to a  
9 tractor, cultivator, plow, all-terrain vehicle, or utility-  
10 terrain vehicle.

11        "Utility-terrain vehicle" means a motor vehicle that:

- 12        (1) Is designed to be operated off highway;
- 13        (2) Is sixty inches or less in width;
- 14        (3) Has an unladen weight of one thousand three hundred
- 15                pounds or less;
- 16        (4) Is suspended on four to six tires;
- 17        (5) Has a steering wheel for steering control;
- 18        (6) Is equipped with roll-over protection;
- 19        (7) Accommodates one driver and one passenger sitting
- 20                side-by-side; and
- 21        (8) Is equipped with seat belts for driver and passenger
- 22                protection.



1        (c) Any person who violates this section shall be fined  
2        \$250 for each violation.

3        (d) All-terrain vehicles and utility-terrain vehicles used  
4        as farm equipment shall be regulated as farm equipment and not  
5        as motor vehicles.

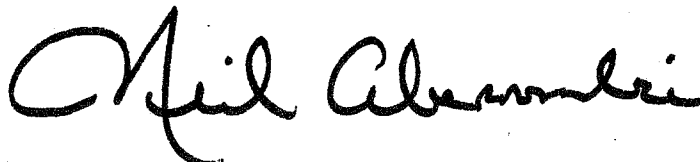
6        (e) All-terrain vehicles and utility-terrain vehicles used  
7        by a city, county, or state worker while acting within the scope  
8        of that person's official duties shall not be regulated as motor  
9        vehicles."

10       SECTION 2. This Act does not affect rights and duties that  
11       matured, penalties that were incurred, and proceedings that were  
12       begun before its effective date.

13       SECTION 3. New statutory material is underscored.

14       SECTION 4. This Act shall take effect upon its approval.

APPROVED this 30 day of APR, 2014



GOVERNOR OF THE STATE OF HAWAII