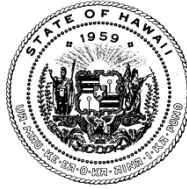


HB1258 HD2 SD1

Measure Title: RELATING TO TRANSPORTATION.
Report Title: Transportation; Autocycles
Description: Establishes licensing and registration requirements for autocycles.
Defines autocycle. Effective 7/1/2112. (SD1)
Companion: SB1258
Package: None
Current Referral: TRE, CPH
Introducer(s): AQUINO



Testimony by:
FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

April 4, 2017
9:30 a.m.
State Capitol, Room 229

H.B. 1258 H.D.2, S.D.1
RELATING TO TRANSPORTATION

Senate Committee on Commerce, Consumer Protection and Health

The Department of Transportation (DOT) **supports** this bill with comments. The bill establishes licensing and registration requirements for and definition of autocycles.

The DOT understands that most autocycles do not meet the Federal Motor Vehicle Safety Standards for passenger motor vehicles. For instance, the autocycles may not include air bags, manufacturer certified rollover protection, etc. Therefore, it is suggested that all dealers, sellers, leasers, or rental agencies be required to disclose the following if it is true for the subject autocycle:

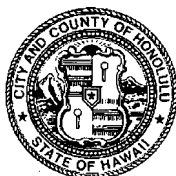
- Autocycle does not meet the Federal Motor Vehicle Safety Standards (FMVSS) of passenger vehicles/light trucks.
- Autocycle is not equipped with air bags.
- Autocycle rollover protection has not been certified to protect the occupant from injury in the event of a rollover. Recommend the use of a "DOT" certified safety helmet when operating an autocycle.

Autocycles that are not equipped with a front windshield should require the occupants to use eye protection. Seat belts must be worn by all occupants within the autocycle.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

KIRK CALDWELL
MAYOR



SHERI T. KAJIWARA
DIRECTOR

RANDY M. LEONG
DEPUTY DIRECTOR

CHASE MASUDA
ACTING LICENSING ADMINISTRATOR

TESTIMONY OF PRESTON KO, ASSISTANT LICENSING ADMINISTRATOR
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES
Tuesday, April 4, 2017, 9:30 a.m., Conference Room 229

HOUSE Bill 1258 HD2, SD1 "RELATING TO TRANSPORTATION"
Position: Support

TO: The Honorable Rosalyn H. Baker, Chair
and Members of the Committee on Commerce, Consumer Protection, and
Health

The City and County of Honolulu supports with amendments
H.B. No. 1258, HD2, SD1, which establishes licensing and registration requirements for
and defines autocycles.

There are several concerns that the bill needs to address in order to ensure that
autocycles are properly registered and are operated safely by a licensed driver. The
recommendations stated herein are based on the American Association of Motor
Vehicle Administrators (AAMVA) Working Group that developed best practices on
registering and licensing autocycles. AAMVA is a nationally recognized non-profit
private corporation of which Hawaii is one of the 50 states, the District of Columbia, and
Canadian territories and provinces who make up its membership of motor vehicle and
law enforcement administrators and executives.

On page 1, lines 7-11 (section 286- (b)), the bill states operators with a valid
type 2 or type 3 driver's license should be allowed to operate an autocycle. The
reference to a type 2 driver's license should be stricken and the section should be
amended to read:

"(b) No person shall operate an autocycle on a public street, road, or highway in
this State unless the person possesses a valid ~~[type 2 or]~~type 3 driver's license
pursuant to ~~[section 286-102 (b) (2) or]~~section 286-102 (b) (3) and the autocycle has
been duly registered pursuant to subsection (a)."

The definition of Autocycle on page 1, line 15 to page 2, line 2 should be
replaced in its entirety to read:

"Autocycles" A three-wheel motorcycle that has a steering wheel and seating
that does not require the operator to straddle or sit astride on it"

In addition, the definition of "Motorcycle" in §286-2, HRS, should be amended to
read:

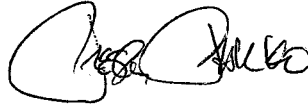
“Motorcycle” means every motor vehicle that has a handlebar and seating that requires the operator to straddle or sit astride on it [~~having a seat or saddle for use of the rider~~] and designed to travel on not more than three wheels in contact with the ground, but excludes a farm tractor and moped.”

In order to properly license the autocyycle, add reference to “autocycles” in the number plates Section 249-7 (a), HRS, to read:

“Upon receipt of the tax the director of finance shall number and register the vehicle in the owner’s name in a permanent record or book to be kept by the director for this purpose, and shall furnish the owner thereof with a receipt showing upon its face the license number issued for the vehicle and the fact that the license tax has been paid thereon for the whole or the remainder of the current year in which the receipt is issued. The director of finance shall also furnish the owner, upon the original registration of the vehicle, two number plates for the vehicle or one plate in the case of trailers, semitrailers, autocycles, or motorcycles with the registration number marked thereon. Upon the payment of the tax for each year a tag or emblem bearing a serial number and the month and year of expiration shall be provided to the owner. Transfer of current number plates, tag, or emblem, except as authorized by this chapter or by chapter 286, is punishable by a fine of not more than \$50 for each offense.”

Thank you for the opportunity to provide comments on HB 1258, HD2, SD1.

Sincerely,

A handwritten signature in black ink, appearing to read 'Preston P. H. K. Ko', written over a circular stamp or seal.

Preston P. H. K. Ko
Assistant Licensing Administrator



2100 Highway 55, Medina, MN 55340

Testimony for Polaris Industries Inc.

J.R. Burke, Senior Manager, North America Government Relations

Chair Baker & members of the Senate Commerce, Consumer Protection, and Health Committee:

In 2014, Polaris Industries introduced Slingshot to the U.S. market. It is defined under National Highway Traffic Safety Administration (NHTSA) laws and regulations as a motorcycle and is legal in forty-nine states, Hawaii being the only exclusion given all motorcycles in the state must have straddle seating in order to receive an inspection sticker as part of its registration.

Where legal, Slingshot is defined either as a motorcycle or an autocycle, the latter most often considered a motorcycle “subtype” because despite being distinguishable from traditional two-wheel style motorcycles, they both receive the same federal compliance classification and conform to the same Vehicle Identification Number (VIN) and Manufacturer’s Certificate of Origin body type conventions.

Since 2013, more than thirty states have developed autocycle definitions for this type of motorcycle. This trend began when the American Association of Motor Vehicle Administrators (AAMVA) published its ***Best Practices for the Regulation of Three-Wheel Vehicles***.

With respect to U.S. autocycle definitions, AAMVA recommends states enact the following (or similar):

A three-wheel motorcycle with a steering wheel and non-straddle seating.

With respect to operator licensing, AAMVA recommends that states, “Allow operation with a standard automobile license.” This recommendation is effective in every state with an autocycle definition and is supported by Polaris.

Polaris requests this committee recommend passage of HB 1258 SD1 for the following reasons:

1. It creates a mechanism for autocycles (e.g., Polaris Slingshot) to be legally registered in Hawaii;
2. It will provide operator licensing for autocycles consistent with every autocycle law in the U.S.; and
3. It will create an autocycle definition that closely mirrors AAMVA’s recommended construct.

Thank you for the opportunity to provide comments to the committee.