



Testimony by:
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IN REPLY REFER TO:

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

February 8, 2017
9:00 AM
State Capitol, Room 423

H.B. 1258
RELATING TO TRANSPORTATION

House Committee on Transportation

The Department of Transportation (DOT) **supports** this bill with amendments that establishes requirements for operating an autocycle and defines autocycle

Amend subsection (b) of Section 1 by adding "type 2" and "(b)(2)" that is underscored so as to read as follows:

"(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 driver's license pursuant to section 286-102**(b)(2)** and the autocycle has been duly registered pursuant to subsection (a)."

Amend the definition of "Autocycle" in Section 2 to read as follows:

"Autocycle" means a three-wheeled motorcycle with non-straddle seating, is steered by something other than a handlebar, and is certified by the manufacturer to comply with all applicable federal motor vehicle safety standards as of the date of manufacture."

Thank you for the opportunity to provide testimony.



Street Bikers United Hawaii (SBU) Submissions

January 28, 2017

Bill HB No. 1258 ("RELATING TO TRANSPORTATION")

Presenter: Bruce Paige
Residence: Pearl City
Email: bpaigeco@gmail.com

Introducer(s): AQUINO

Description:

Establishes requirements for operating an autocycle. Defines autocycle.

[SBU Recommends Its Members Support Bill SB #1258](#)

Relevant Language to SBU Submissions:

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

"§286- Autocycles. (a) Every autocycle operated in this State shall first be registered as a motor vehicle as provided in section 286-41.

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

SECTION 2. Section 286-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

"Autocycle" means a three-wheeled motor vehicle with a steering wheel and non-straddle seating that is manufactured to federal motorcycle safety standards."

SECTION 3. Section 286-2, Hawaii Revised Statutes, is amended by amending the definition of "motorcycle" to read as follows:

"Motorcycle" means every motor vehicle 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, including an autocycle, but [~~excludes~~] excluding a farm tractor and a moped. "

SBU Recommends Its Members Support Bill SB No. 1258

SBU supports the Bill H.B. No. 1258 with the proviso that as an autocycle is defined as a "Motorcycle" the operator must have a Category #2 Motorcycle License or establish to the satisfaction of the Examiner of Drivers, that the person has completed the motorcycle education course approved by the director in accordance with section 431:10G-104 pursuant to **§286-108 Examination of applicants.**

Points of Support:

SBU takes the position that the proposed Bill H.B. No. 1258 should be supported by its members in the form submitted and subject to the forgoing proviso is met by the language of the Bill.

All of which is respectfully submitted:

SBU recommends adoption of the Bill in its proposed form.

All of which is respectfully submitted:

On Behalf of Street Bikers United Hawaii (SBU)

Bruce Paige

Bruce Paige
SBU State Director



POLARIS®

2100 Highway 55, Medina, MN 55340

TO: Representative Henry J.C. Aquino, Chair Transportation Committee
Representative Sean Quinlan, Vice Chair Transportation Committee
Members of the House Health Committee

FROM: J.R. Burke, Senior Manager, North America Government Relations, Polaris Industries Inc.

RE: Testimony in **Support of House Bill (HB) 1258**
RELATING TO TRANSPORTATION.
Establishes requirements for operating an autocycle. Defines autocycle

Chair Aquino & members of the House Committee on Transportation:

In 2014, Polaris Industries introduced the Slingshot to the market in North America. The Slingshot is defined under National Highway Traffic Safety Administration (NHTSA) laws and regulations as a motorcycle. Given that, the product has a Vehicle Identification Number (VIN) that coincides with this federal classification, has a compliance label listing the body type as motorcycle, and a Manufacturer's Statement of Origin listing the same.

The Slingshot is legal in forty-nine states, Hawaii being the exclusion. Where Slingshot is legal, it is defined either as a motorcycle, a motorcycle subtype called autocycle or as a stand-alone autocycle vehicle category.

As you can see by the map in the materials you received, a significant number of states have developed autocycle definitions for the treatment of these unique motorcycle types such as Slingshot. This trend was precipitated by the 2013 publishing of a document titled, *Best Practices for the Regulation of Three-Wheel Vehicles*, by the American Association of Motor Vehicle Administrators (AAMVA). The introduction of the Slingshot has only hastened the enactment of these definitions by states.

The subject-matter experts with AAMVA define an autocycle as follows:

1. Three wheels;
2. Motorcycle;
3. Steering wheel; and
4. Non-straddle seating.

This definition distinguishes autocycles from traditional motorcycles by way of steering mechanism and seating type, but describes the vehicle as a type of motorcycle, an approach adopted by the vast majority of autocycle states and as described in Section 2 and Section 3 of House Bill 1258. Adding language stating that the vehicle be manufactured to federal motorcycle safety standards, rounds out the definition under this proposed legislation.

Another key feature of the AAMVA's recommendations is that autocycle operators be exempted from the requirement to carry a motorcycle license or endorsement, instead being able to operate these products under their regular driver's license. This is the case in each state with an autocycle law having previously been enacted, and, in practice applies similarly to Slingshot in other states where it is still strictly considered a motorcycle. This is supported by Polaris as described in Section 1 of this proposed legislation.

The remainder of the bill addresses registration requirements, technical distinctions between motorcycles with straddle and non-straddle seating, so that occupants are required to be seated properly, and provides for immediate effectiveness upon approval. This provides the Polaris dealers here in Hawaii, all independently-owned small businesses, the ability to begin stocking Slingshot and growing their business with this innovative product.

One final note. Polaris reads Hawaii's current motor vehicle law to require seat belts where so equipped, which we suspect would include autocycles given the term "motor vehicle" being used in the definition under Section 2. However, if such a reading is inaccurate or current law can be amended to be more specific, we would be favorable of such an approach to address occupant protection.

Thank you for the opportunity to address the committee and issue Polaris' support for House Bill 1258. I am happy to answer any questions.