

# SB1273

Measure Title: RELATING TO MOPEDS.

Report Title: Mopeds; Modification; Penalty

Description: Prohibits the owner of a moped or a moped dealer or repair shop from modifying a moped, including removing a speed limiter, to increase the top speed and horsepower. Makes current fine applicable to moped owners. Increases penalty to a petty misdemeanor fine for a moped dealer or repair shop.

Companion:

Package: None

Current Referral: CPH/TRE, WAM

Introducer(s): IHARA, ESPERO, Dela Cruz, Gabbard, K. Kahele, Nishihara, L. Thielen



**Testimony by:**  
FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
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EDWIN H. SNIFFEN  
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IN REPLY REFER TO:

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

February 13, 2017  
1:20 PM  
State Capitol, Room 225

**S.B. 1273**  
**RELATING TO MOPEDS**

Senate Committees on Commerce, Consumer Protection and Health  
& Committee on Transportation and Energy

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The Department of Transportation **supports** S.B. 1273 that prohibits the owner of a moped or a moped dealer or repair shop from modifying a moped, including removing a speed limiter to increase the top speed and horsepower; makes the current fine applicable to moped owners; and increases the penalty to a petty misdemeanor fine for a moped dealer or repair shop.

A moped is classified as a device, limited to a speed of 30 mph and not required to carry motor vehicle insurance in an effort to encourage the use of a low cost, low speed vehicle. Modifying a moped to travel faster than 30 mph frustrates the intent of the classification and introduces a potential for more serious injury in the event of a crash. If a "moped" is capable of traveling faster than 30 mph, it does not meet the definition of a moped and instead should be classified as a motor scooter and be required to carry motor vehicle insurance. The driver should also be required to have a class 2 driver's license.

Thank you for the opportunity to provide testimony.

## Testimony opposing SB1273

Ladies and Gentlemen of the Senate,

I am writing to oppose the bill SB1273, being a company that sells new and used mopeds in Maui. We have been through a lot of changes this year and keeping up and trying to maintain a healthy business is becoming more and more difficult.

Dealing with Safety Inspectors and the D.M.V. has been a struggle here on Maui and we have had to get our vendors involved multiple times just to be able to register our mopeds for our customers. It seems as a small business we should have the county and state behind us helping us push forward, instead of as it seems making it very difficult to stay in business or keep up with non legit businesses that do not follow the same strict guidelines that we do to stay up with all regulations.

The moped industry in other countries are thriving because of the affordability and the economic advantage of up to 100 miles per gallon of gas. The carbon footprint is also smaller due to strict emission controls and the fact they are not wearing down the roads like a large vehicle does.

You are taking a very economical option for most Hawaii residents, that struggle anyway due to the high cost of living in this state, and are applying more costs and more restrictions every year.

Where exactly does this end, with the ban of all mopeds and motorcycles in Hawaii, we should be promoting cost effective means of travel to and from work that uses less resources, instead it seems that one thing after another is added to make it more difficult to obtain and keep this resource.

I understand fully the reasoning behind this law, but as every other bill that has passed, when does it stop, when it is no longer economically for us to stay in business. We run a good shop here and do not skirt the laws, but again where does it end, today restrictors tomorrow something else.

Mopeds are an affordable, reliable, and resource friendly form of transportation, but with every new law that passes you are pushing people into a more environmentally damaging option of transportation.

Thank you for your time,

Jon Rife

808-667-7000



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 7, 2017 10:48 AM  
**To:** CPH Testimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB1273 on Feb 13, 2017 13:20PM\*

**SB1273**

Submitted on: 2/7/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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**To:** CPH Testimony  
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**SB1273**

Submitted on: 2/7/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Individual	Support	No

Comments: I am in strong support of this measure. Our Neighborhood Board 25 passed a resolution in support. Mahalo, Ann S. Freed, member NB25.

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**Sent:** Wednesday, February 8, 2017 6:30 AM  
**To:** CPH Testimony  
**Cc:** jamesjtz@aol.com  
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**SB1273**

Submitted on: 2/8/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Gauer	Individual	Support	No

Comments:

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**Cc:** victor.ramos@mpd.net  
**Subject:** \*Submitted testimony for SB1273 on Feb 13, 2017 13:20PM\*

**SB1273**

Submitted on: 2/7/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Support	No

Comments:

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**To:** CPH Testimony  
**Cc:** jaydiem2hi@gmail.com  
**Subject:** \*Submitted testimony for SB1273 on Feb 13, 2017 13:20PM\*

**SB1273**

Submitted on: 2/12/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Kunihiro	Individual	Oppose	Yes

Comments:

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To whom it may concern;

I oppose SB1273.

Many people ride mopeds in hawaii. For some it is necessary form of cheap transportation, for others it is a passion. I have a "loud moped". And having it loud is sometimes a matter of life and death. We all know that riding a moped can be dangerous, as many drivers in cars aren't aware or take the time to notice a human being on a tiny motorized bicycle. This negligence has caused many people to be run over by cars and killed. I have almost been struck by 2 cars and 1 truck, all the other drivers fault. The only thing that saved me from injury or possible death, was my driving defensively, and quick reflexes. After the last time I was almost run over, I decided to get a louder exhaust for my moped. The exhaust gave me a barely noticeable power increase. It didn't increase my top speed at all. What it did give me was an advantage at surviving rushing soccer mom's in suv's, oblivious tourist staring at whales while driving, or distracted drivers on their smart phones. If they can't see me on my little moped, at least they can here me. Having a louder exhaust has saved me from an accident at least 1 time. I was driving near a co-worker on the way to work one day. When we got to work she told me that she almost pulled into my lane with out looking, but heard my "loud exhaust" and decided to look, and I was right there, where she would have hit me with her 3000 pound car. So my loud exhaust potentially saved my life. Enacting this law will effectively make criminals out of environmentally conscience, law abiding citizens. I am a husband, a father of a 5 year old and a 9 year old. I am not a criminal. I hold down three jobs to live in hawaii and support my family, and I want to continue to live. So please let me keep my loud exhaust. If it saves just 1 life, it is worth it! If we are going to pick on loud things, lets focus on the weed whackers and leaf blowers, or the Opala Trucks. This is Hawaii, a warm environment where driving mopeds has been part of the culture for over 30 years. I don't like to use this sentiment but; if people don't like the culture here, there are plenty of cold places to live in the United States with zero mopeds. I am also a friend of 2 different moped shop owners. This law would also put them out of business. These are local, family owned shops. We should do what we can to support small local business's, not enact laws that would put them out of business.

Mahalo for your kokua

Adam Parrott

Email: [sherilou808@msn.com](mailto:sherilou808@msn.com)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 11, 2017 7:02 PM  
**To:** CPH Testimony  
**Cc:** veedubh20@Hotmail.com  
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**SB1273**

Submitted on: 2/11/2017

Testimony for CPH/TRE on Feb 13, 2017 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allen Rideout	Individual	Oppose	No

Comments: I oppose the bill of sb1273! Mahalo!!

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Testimony In Support of Senate Bill 1273  
Relating to Mopeds  
February 13, 2017

Aloha Chair Baker, Vice Chair Nishihara and Committee Members

I respectfully offer this testimony in support of SB 1273 that makes it illegal to remove speed limiters or modify mopeds motors by owners, moped dealers or repair persons to increase horsepower and top speed of mopeds.

I am a member of the Moped Noise Mitigation Working Group but offer this testimony as a private citizen who is tired of being wakened at night by the noise of modified mopeds.

The noise created by modified mopeds is a health hazard. It is especially disturbing to citizens at night when sleep for many is easily interrupted. Moped noise is also an irritant during the day.

Besides the health hazard that excessive noise can be to many citizens who might be affected by one irresponsible moped owner, removing the speed limiter to make a moped go faster can be a health hazard to the owner. Mopeds are not designed to go faster than about 30 – 35 mph. Removing the speed limiter is intended to allow for faster speeds and places the rider in jeopardy. In addition, an accident that results from a moped going too fast might also involve a pedestrian bystander or other drivers.

Looking forward to a quieter and safer Hawaii, I thank you for considering my testimony.

Bob Kern  
1615 Wilder Avenue, #601  
Honolulu, Hawaii 96822  
943 9241