

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 1273

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Transportation and Energy, to which was referred S.B. No. 1273 entitled:

"A BILL FOR AN ACT RELATING TO MOPEDS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit 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;
- (2) Make the current fine applicable to moped owners; and
- (3) Increase the penalty for a violation by a moped dealer or repair shop to a petty misdemeanor, punishable by a fine.

Your Committees received testimony in support of this measure from the Department of Transportation, Moped Noise Mitigation Group, and six individuals. Your Committees received testimony in opposition to this measure from six individuals.

Your Committees find that a moped is classified as a device that is limited to a speed of thirty miles per hour 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 thirty miles per hour frustrates the



intent of the classification and introduces a potential for more serious injury or damage in the event of a crash, which would necessitate insurance coverage. Your Committees further find that if a moped is capable of traveling faster than thirty miles per hour, it does not meet the definition of a moped and instead should be classified as a motor scooter, which requires motor vehicle insurance. This measure clarifies existing requirements for modifications to a moped, including specifically prohibiting the modification of a moped to remove a speed limiter to increase the top speed and horsepower. This will ensure mopeds in Hawaii stay within their appropriate vehicle classification and will alleviate safety concerns.

Your Committees have amended this measure by:

- (1) Clarifying that a moped dealer or repair shop is not in violation unless the dealer or shop is the entity who makes the modification; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Transportation and Energy that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1273, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1273, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Commerce,  
Consumer Protection, and Health  
and Transportation and Energy,

  
LORRAINE R. INOUE, Chair

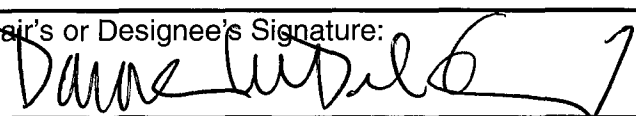
  
ROSALYN H. BAKER, Chair





The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Transportation and Energy**  
**TRE**

Bill / Resolution No.:* <b>SB1273</b>	Committee Referral: <b>CPH/TRE, WAM</b>	Date: <b>2/13/17</b>		
<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
INOUE, Lorraine R. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
ENGLISH, J. Kalani				/
HARIMOTO, Breene	/			
SHIMABUKURO, Maile S.L.				/
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes