

HB-2436

Submitted on: 2/6/2018 9:27:47 AM

Testimony for TRN on 2/7/2018 10:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|------------------------|---------------------------|---------------------------|
| Stephen Orikasa | Maui Police Department | Support | No |

Comments:

TESTIMONY OF
LARRY S VERAY
TO THE HOUSE COMMITTEE ON TRANSPORTATION
ON SB HB 2436 RELATING TO MOPEDS
FEBRUARY 6, 2018

Aloha, Honorable Chair Representative Henry Aquino, Vice Chair Representative Sean Quinlan and members of House Committee on Transportation. The Pearl City Neighborhood Board No. 21 is in total support of HB 2436. Our board previously passed and forwarded our board resolution requesting both the State and City to develop legislation to control excessive moped noise; add license plates to mopeds to allow citizen reporting on those moped drivers with loud exhausts; and registration of all mopeds.

I wanted to personally report to your committee that the new moped legislation is working and our community has seen and heard the noise reduction but there are still many moped drivers who will not follow the new law. We support establishing a fine not to exceed \$100 for moped operators who fail to register their moped and meet the State's registration requirements.

If this legislation is enacted, I firmly believe the Honolulu Police Department coupled with the citizen reporting on moped violators of this law will help reduce loud moped exhaust noise and control these vehicles on our roadways but for too long were out of control. We greatly appreciate your support and passing SB 2436.

Very respectfully,

Larry S. Veray

Chair, Pearl City Neighborhood Board No. 21

Moped Noise Mitigation Working Group

February 6, 2018

Dear Chair Aquino, and Members
of the Committee on Transportation:

Thank you for taking the time to address moped issues. On behalf of the Moped Noise Mitigation Working Group (MNMWG), we **support HB 2436**. Formed in 2015, the MNMWG's goal is to mitigate excessive moped noise in our communities.

This bill will improve the effectiveness of the moped registration process by making the current law enforceable through fines for moped owners who do not comply with Section 249-14.1 of the Hawaii Revised Statutes. This bill corrects an oversight in Act 200 of 2016, which established regulations for moped registration and safety inspection. Through these regulations, we have already seen a decrease in the amount of excessive noise from mopeds in our communities. We expect the registration process will also provide other benefits, such as the reduction and/or recovery of stolen mopeds.

Thank you for the opportunity to comment. Should you have any questions, please contact MNMWG2016@gmail.com.

Sincerely,
Tim Streitz
Moped Noise Mitigation Working Group

HB-2436

Submitted on: 2/5/2018 9:05:56 AM

Testimony for TRN on 2/7/2018 10:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|------------------------|---------------------------|---------------------------|
| Victor K. Ramos | Maui Police Department | Support | No |

Comments:

HB-2436

Submitted on: 2/6/2018 1:06:28 PM

Testimony for TRN on 2/7/2018 10:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Bob Kern | | Support | No |

Comments:

Aloha Chair Aquino and Members of the Committee on Transportation

I am offering this testimony in support of HB 2436 that will establish a fine for failure to register a moped. This will support and improve previous measures that have helped lessen the noise of illegally modified mopeds in our neighborhoods,

In addition, once failure to register a moped is the law and can be enforced moped owners will be encouraged to maintain the stock settings of their moped and so not be able to exceed speed and safety limits.

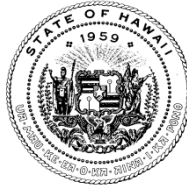
Bob Kern

1615 Wilder Avenue, #601

Honolulu, Hawaii 96822

943 9241

DAVID Y. IGE
GOVERNOR



LATE

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

February 7, 2018
10:00 a.m.
State Capitol, Room 423

H.B. 2436
RELATING TO MOPEDS

House Committee on Transportation

The Department of Transportation (DOT) **supports** H.B. 2436 relating to mopeds. This bill establishes a fine not to exceed \$100 for moped owners who fail to comply with moped registration requirements.

DOT believes that higher registration compliance for all vehicles will benefit the system as a whole. All vehicles should be in the data base and all vehicle owners should pay their fair share of fees that are dedicated to the operation and maintenance of the system.

Thank you for the opportunity to provide testimony.

Testimony by:

JADE T. BUTAY
INTERIM DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

HB-2436

Submitted on: 2/6/2018 7:58:00 PM
Testimony for TRN on 2/7/2018 10:00:00 AM



| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------------|--------------------|--------------------|
| Manabo Sato | Moped Doctors Inc. | Oppose | No |

Comments:

My name is Manabo Sato and I am a co-founder of Moped Doctors Inc, the largest moped retailer on Oahu. We have been in existence for almost a decade. I personally worked with Mr. John Lovstedt, the Highway Safety Manager of the Hawaii DOT to establish final noise standards for the new moped safety inspection program. I am also one of the first registered inspectors of the new moped safety inspection program implemented last year. I have to date reviewed hundreds of moped inspections since we started our inspection station in 2017.

Moped Doctors was one of the moped businesses in favor of the safety inspection program and testified at the hearings on behalf of its passage but for different reasons than what most people who supported it.. Most wanted the loud modified mopeds noise issue to be reined in. We did too but we also felt as moped professionals that it would help make the overall technical and mechanical quality of mopeds safer for riders in general on Oahu.

Unfortunately, the safety inspection program has had a unforeseen detrimental side effect to our entire industry. Business is down up to 25% since the end of 2016 and when most moped businesses were polled, almost universally, they say their customers say because of the safety inspection program. Two long time competitors in the industry with a combined history of over 40 years in the community recently shuttered their doors.

Moving forward. As a moped industry professional and participant in the safety inspection program I believe that no further action should be taken on regulating mopeds and let the current laws and HPd do their job and leave it as it is. So I voice my opposition to this bill SB2854 and HB 2436 and all related bills. Here is why.

In THEORY, it sounds like a good idea, going after non registered mopeds (under the new license plate program) but the problem is that based on an extrapolation of my experience with the moped industry and customers here in Hawaii that most of the 43,000 mopeds sold over the last three or four decades total every recorded are simply

no longer in operation . Here are some reasons: Mopeds tend to have a high turnover rate of ownership once they enter the used market. And in the past, before the new program , often the seller/transferor would rely on the good faith to entrust that the buyer/transferee would do their due diligence on the paperwork/registration/title being fully transferred to the new owner.

Unfortunately, in many circumstances, this may have not been the case and the buyer/transferee never completed the paperwork transaction to its completion leaving the seller/transferor vulnerable to whatever negative things may come their way like accumulating tickets and other traffic offenses under the possessor because the moped is still in the seller/transferor's name (happened to me,

To punish the transferor with a large fine relative to the value of their vehicle which they may not even own or even recall in some cases if its so long ago is unreasonable, unfair and impractical. Also, as far as I know both as a moped rider myself and a moped industry professional who occasionally engages in the sale of used mopeds since 2010, no moped transfer confirmation ticket or stub like they have on car titles were available for the seller/transferor to put the name of the transferee/buyer into the system in case the transferee /buyer failed to do so on their own existed until 2017 (Moped Notice of Transfer).

That means every transfer attempt made in 2016 or earlier using the old system in which there was no way to confirm the transferee's identity or intent existed therefore exposing the poor transferor/seller to all kinds of liabilities that they didn't expect during the sale/release of their moped (like outstanding traffic tickets that the new owner/buyer/transferee incurs but goes to the original owner's address and responsibility. That is unfair.

It has been my experience in the hundreds of mopeds I've inspected very few are older than five to ten years old. And as a moped professional, it is habit and second nature for me to observe any different mopeds out there running on the roads. It has been my experience over the last 8 years of seeing mopeds on the roads, most current running, usable mopeds are up to 5 and probably no more than 10 years old.

The total amount of currently registered mopeds probably most accurately reflects a possible majority of the mopeds still running or able to run out there on the road. I've frankly never seen mopeds from the 80s and very few from the 90s out there meaning their owners no longer give them any thought or mind. And at the time they were registered they were promised a PERMANENT one time registration (which has now been made into an annual one of course). That should be left as is for such owners and they should not be fined for simply believing it was going to be permanent for the license at the time they got it years before the annual inspection became a standard.

One also has to take into account a moped has a much shorter usable and engine life span than a car. A car typically can hit 100,000 miles or more during its existence in use. A typical moped is more like 10,000 miles or so . Some more, some less but way less than that of a car. A forty , thirty, twenty , fifteen year old moped by the numbers being on the road even if the owner hasn't re registered their moped under the new license plate system and its more than five years old, it's probably been forgotten, the owner has moved away, in some cases even passed away. The moped has been handed over to a third, a fourth, a fifth party or more even that the original owner has no current knowledge or control over. From my experience in the industry, most mopeds are owned or used an average of three to five years.

In essence, passing this law is punishing the vast majority of the 43,000 registered owners over mopeds that probably in most cases no longer even exist or is in operation. The BEST and most practical, real world course of action is to let there be NO fine sent via mail to the names on the unregistered moped list/old system and simply have HPD enforce and ticket/fine/stop those mopeds still running the old yellow bicycle type sticker system out on the streets. Given a reasonable amount of time with police enforcement, the ACTUAL mopeds out on the streets will get their safety inspections and license plates. I've seen a surge in inspections since January as legitimate CURRENT users /owners of the currently running mopeds out comply with the new law.

The moped business and rider community is trying very hard. They are behind. There are many, many mopeds out there that are still out there in the old system that the original and registered owners have no idea that they had to register because they moved, passed away, gave it away, etc etc. To punish them which will definitely be the majority of the total 43,000 ever registered is impractical , unreasonable, unfair and a potentially a big waste of resources on mailing out etc. With all due respect to HPD, the focus should be on enforcement of current mopeds running out there on the roads until ALL of them get safety inspected, which will happen.

The safety inspection and licensing program is just over a year old. It has never been done before on Oahu . Give it time and all running mopeds will eventually comply without the need for this fine. If a moped has not been registered by January 2019, the vin may be deemed a "inactive" vin on such a moped.

Thank you.

Manabo Sato

Co Founder: Moped Doctors Inc.

Moped Safety Inspector Station #1926

HB-2436

Submitted on: 2/7/2018 7:56:55 AM

Testimony for TRN on 2/7/2018 10:00:00 AM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mitsuko Hayakawa | | Support | No |

Comments: