
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-71, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending its title to read:

4 "~~[(1)]~~ §286-71 Autocycles ~~[, registration, occupants,~~
5 ~~disclosure requirements]~~. ~~[(1)]~~ "

6 2. By amending subsection (b) to read:

7 "(b) No person shall operate an autocycle on a public
8 street, road, or highway in this State unless the person
9 possesses a valid type 3 driver's license pursuant to section
10 ~~[286-102(b)(2)]~~ 286-102(b)(3) and the autocycle has been duly
11 registered pursuant to subsection (a)."

12 SECTION 2. Section 286-102, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) A person operating the following category or
15 combination of categories of motor vehicles shall be examined as
16 provided in section 286-108 and duly licensed by the examiner of
17 drivers:



- 1 (1) Mopeds;
- 2 (2) Motorcycles, except for autocycles as described in
3 paragraph (2) of the definition of "motorcycle" in
4 section 286-2, and motor scooters;
- 5 (3) Passenger cars of any gross vehicle weight rating,
6 buses designed to transport fifteen or fewer
7 occupants, [~~and~~] trucks and vans having a gross
8 vehicle weight rating of eighteen thousand pounds or
9 less[+], and autocycles as described in paragraph (2)
10 of the definition of "motorcycle" in section 286-2;
11 and
- 12 (4) All of the motor vehicles in category (3) and any
13 vehicle that is not a commercial motor vehicle.

14 A school bus or van operator shall be properly licensed to
15 operate the category of vehicles that the operator operates as a
16 school bus or van and shall comply with the standards of the
17 department of transportation as provided by rules adopted
18 pursuant to section 286-181."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 4. This Act shall take effect upon its approval.



Report Title:

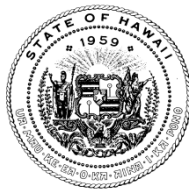
Transportation; Autocycles; Driver's License

Description:

Changes driver's licensing requirement for operation of autocycles. (SB2099 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.





Testimony for:
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IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
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March 28, 2018
4:00 pm
State Capitol, Room 308

S. B. NO. 2909 SD 2, HD 1
RELATING TO LAW ENFORCEMENT

House Committee on Finance

The Department of Transportation (DOT) has no objections to the current form of S.B. No. 2909 SD 2, HD1 Relating to Law Enforcement.

S.B. No. 2909 SD 2, HD1 requires the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency.

The DOT is responsible for Hawaii's airports, harbors and highways. Each of our airports are regulated by the U.S. Department of Homeland Security, Transportation Security Administration (TSA) and required to develop and comply with an Airport Security Plan (ASP), which contains Security Sensitive Information as defined by federal law (49 C.F.R. Part 1520). The ASP requires law enforcement and security personnel to be assigned to secured and non-secured areas of the airport to prevent breaches and introduction of explosive devices and prohibited items into these areas. Any breach to these secured areas requires the immediate evacuation of all passengers, employees, airlines personnel, concessionaires and tenants to protect lives and property. This will result in the delay of flights both departures and arrivals until the areas are inspected and deemed by the TSA to be safe for the movement of people and commerce.

Each of our harbor ports are also regulated by the U.S. Coast Guard (USCG) and required to develop and comply with a Facility Security Plan ("FSP"), which contains Security Sensitive Information. Each FSP has similar requirements to provide for law enforcement and security services to ensure our harbor ports are safe and secure.

To comply with the ASPs and FSPs, the Director has been authorized under Hawaii Revised Statutes, respectively, Section 261-17 for Airports and Section 266-24 for Harbors to commission trained personnel with law enforcement and security powers specific to the designated facility and its premises.

This study will allow the DOT to explain their unique mandated compliance requirements for its airports and harbors.

Thank you for the opportunity to provide testimony.



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March 28, 2018

The Hon. Roy M. Takumi
Chair
House Committee on Consumer Protection &
Commerce

The Hon. Linda Ichiyama
Vice-Chair
House Committee on Consumer Protection &
Commerce

Chair Takumi and Vice-Chair Ichiyama:

On behalf of Polaris, thank you for bringing SB 2099 to the Committee today and for allowing Polaris the opportunity to speak to it. SB 2099 is simply a corrections bill for a measure from last year that was ultimately enacted in law.

Last year's bill – HB 1258 – created the “autocycle” category within Hawaii’s motor vehicle code, defining autocycles as motorcycles with three wheels, non-straddle seats, and a steering wheel, and set safety standards for both riders and distributors. One of those standards was a requirement that the rider possess a valid type 3 driver’s license – an ordinary passenger car license, not a motorcycle license.

However, when the language specifying a type 3 license was added to the bill, it unfortunately cited to section 286-102(b)(2) of the code, which is the motorcycle license provision. The citation should have been to section 286-102(3). SB 2099 will correct that citation and add language regarding autocycle licensure to section 286-102, ensuring that Hawaiians with type 3 licenses can operate autocycles, as intended.

I thank you for your hard work last year and for your help this year in making sure that the code makes these innovative, exciting vehicles as accessible to Hawaiians and visitors as last year’s legislation intended them to be, and I look forward to answering any questions you may have.

Respectfully,

S. Mike Gentine
Regulatory Affairs Attorney
Polaris Industries, Inc.