

HB

323

HD1

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION.

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

- 1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§286- Special interest vehicles; former military
5 vehicles. (a) Any person who is the owner of a former military
6 vehicle may apply for registration with the director of finance
7 of the county in which the former military vehicle is located.
8 (b) A former military vehicle may be used as other
9 vehicles of the same type, including to transport the owner's
10 property where the transportation is in furtherance of the
11 owner's primary business. It may also be used to transport
12 passengers without charge where the transportation is in
13 furtherance of the owner's primary business, provided that
14 transportation is directly to and from the owner's place of
15 business.
16 (c) A former military vehicle shall not:



- 1 (1) Be used for the transportation of persons for hire or
2 the transportation of property, as those terms are
3 defined in section 271-4; or
- 4 (2) Carry material weighing more than five hundred pounds,
5 not including the weight of a mounted camper, lid, or
6 cap; the weight of a trailer or load drawn by the
7 former military vehicle; or the weight of any persons
8 riding within the driver's compartment.
- 9 (d) As used in this section, "former military vehicle"
10 means any of the following vehicles, if the vehicle is at least
11 twenty-five years old:
- 12 (1) A high-mobility, all-terrain, four-wheel or six-wheel
13 drive vehicle originally manufactured for military use
14 and commonly known by the trade name "Pinzgauer";
- 15 (2) A vehicle commonly known as a "Kaiser Jeep M715";
- 16 (3) A high-mobility, multipurpose wheeled vehicle
17 originally manufactured for military use and commonly
18 known as a "Humvee"; or
- 19 (4) A six-wheel drive utility vehicle originally
20 manufactured for military use, commonly known as a
21 "DUKW" or "Duck."



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

3 1. By adding two new definitions to be appropriately
4 inserted and to read:

5 "Collector" means an owner of one or more special interest
6 vehicles, including parts vehicles, who collects, purchases,
7 acquires, trades, or disposes of a vehicle or its parts in order
8 to preserve, restore, or maintain a special interest vehicle for
9 hobby or historical purposes.

10 "Parts vehicle" means a vehicle that is owned by a
11 collector to furnish parts for the restoration or maintenance of
12 a special interest vehicle."

13 2. By amending the definition of "special interest
14 vehicle" to read:

15 "Special interest vehicle" means a vehicle of any age
16 that, because of its significance, is being collected,
17 preserved, restored, or maintained by a collector. The term
18 includes a street rod vehicle and a street rod replica vehicle,
19 as those terms are defined in section 286-26.5; a vehicle
20 manufactured before 1968; [and] a vehicle manufactured after



1 1967 to resemble a vehicle manufactured before 1968 [-]; and a
2 former military vehicle, as that term is defined in section
3 286- ."

4 SECTION 3. Section 286-26.5, Hawaii Revised Statutes, is
5 amended by amending its title and subsection (a) to read as
6 follows:

7 "§286-26.5 Special interest vehicles [-]; street rod
8 replica vehicles; street rod vehicles. (a) As used in this
9 section:

10 [~~"Collector" means an owner of one or more vehicles,~~
11 ~~including parts vehicles, who collects, purchases, acquires,~~
12 ~~trades, or disposes of a vehicle or its parts, for the owner's~~
13 ~~own use, to preserve, restore, and maintain the vehicle or~~
14 ~~another vehicle for hobby or historical purposes.~~

15 [~~"Parts vehicle" means a vehicle that is owned by a~~
16 ~~collector to furnish parts for the restoration or maintenance of~~
17 ~~a special interest vehicle.]~~

18 "Street rod replica vehicle" means a vehicle that was
19 assembled from a manufactured kit, either as:

20 (1) A complete kit to construct a new vehicle consisting
21 of a prefabricated body and chassis;



1 (2) Components manufactured before 1968; or
2 (3) Components manufactured after 1967 to resemble a
3 vehicle manufactured before 1968;
4 and that has been modified in its body style or design through
5 the use of nonoriginal or reproduction components, such as the
6 frame, engine, drive train, suspension, or brakes, in a manner
7 that does not adversely affect its safe performance as a motor
8 vehicle or render the vehicle unlawful for use on public
9 highways.

10 "Street rod vehicle" means a vehicle that was:

11 (1) Manufactured before 1968; or
12 (2) Manufactured after 1967 to resemble a vehicle
13 manufactured before 1968;
14 and that has been modified in its body style or design through
15 the use of nonoriginal or reproduction components, such as the
16 frame, engine, drive train, suspension, or brakes, in a manner
17 that does not adversely affect its safe performance as a motor
18 vehicle or render the vehicle unlawful for use on public
19 highways. The term does not include a motorcycle, an antique
20 vehicle, or a restored vehicle."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Vehicle Registration; Special Interest Vehicles; Former Military Vehicles

Description:

Classifies certain former military vehicles as special interest vehicles. Enables owners of former military vehicles to apply for registration. Makes conforming amendments. (HB323 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 BY:

JADE T. BUTAY
DIRECTOR

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

February 20, 2019
2:00 p.m.
State Capitol, Room 329

H.B. 323, H.D.1
RELATING TO MOTOR VEHICLE REGISTRATION

House Committee on Consumer Protection & Commerce

In light of our concerns regarding H.B. 323, H.D.1., the Department of Transportation submits our **comments** for your consideration.

This bill classifies certain former military vehicles as special interest vehicles and will enable the owners of former military vehicles to apply for registration with the director of finance of the county in which the former military vehicle resides.

The special interest vehicle law was implemented to accommodate hobbyists who spend significant amounts of money and time modifying their vehicles. The objective was to make it possible for these hobbyists to show off the products of their labors.

This bill dramatically changes this purpose as it will circumvent the manufacturer's certification requirement of Section 286-42(a), Hawaii Revised Statutes, which minimizes the number of uncertified vehicles on Hawaii roads.

The State of Hawaii requires vehicles to be in compliance with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacture. This ensures that Hawaii's inventory of registered vehicles meet certain safety standards that help keep our roads safer for Hawaii's residents and visitors.

Military vehicles are not the product of hobbyists and they were not manufactured for use on our public roads.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU

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TESTIMONY OF ABUL HASSAN, LICENSING ADMINISTRATOR
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES
Wednesday, February 20, 2019, 2:00 p.m., Conference Room 329

HOUSE BILL 323, HD1, "RELATING TO Motor Vehicle Registration"

TO: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
And Members of the Committee on Consumer Protection & Commerce

The City and County of Honolulu **opposes** H.B. No. 323, HD1, that classifies certain former military vehicles as special interest vehicles.

The Division of Motor Vehicle, Licensing and Permits of the City and County of Honolulu is the default entity tasked legislatively to provide oversight related to modified vehicles and their respective appropriateness on public roads. In our previous commentary, we conveyed through testimony that we are not supportive of this bill due to what we, in our expert opinion, believe would result in increased liability to the public.

Military grade vehicles are not designed to the same standards of conformity through which civilian based vehicles are tested. This much is true when analyzing the weight of the vehicle, its load bearing capacity, maneuverability and many other traits.

In light of the high density allotted within the City and County of Honolulu, we feel it would be inappropriate for these types of vehicles to be used on public highways as their use may result in increased risk to pedestrians and other motorists. We therefore reiterate our opposition to this bill.

Thank you for the opportunity to submit testimony in opposition to H.B. No. 323.

HB-323-HD-1

Submitted on: 2/20/2019 10:47:18 AM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vernon Badua	Individual	Support	No

Comments:

Aloha,

The introduction of HB323 is classify certain types of military vehicles such as the "AMG M998 or Humvee" as "special interest vehicles" which would enable the owners of former military vehicles to legally apply for registration with the director of finance of the county in which the former military vehicle resides in.

The "special interest vehicle law" was implemented to accommodate Hobbyists & Historians who spend significant amounts of money and time restoring and modifying their vehicles. The objective was to make it possible for these Hobbyists & Historians to not only show off their labors, but to aid in community relations such as parades and education. This bill will not change the of the purpose of the law, nor will it aid in circumventing the manufacturer's certification requirement of Section 286-42(a), Hawaii Revised Statutes, as most of the vehicles are exempt due to age and weight class. The National Highway Traffic Safety Administration (NHTSA) allows vehicles that are 25 years old or older to be registered without having to be certified by the manufacturer to comply with the Federal Motor Vehicle Safety Standards (FMVSS) because they are not considered to be a significant road safety hazard.

More importantly, still the despite the exemption from the FMVSS, and the general misconception, the M998 or Humvee does still comply to the Federal Safety Standards, the NHTSA further states:

"..The Dept. of Defense in apparent recognition thats its vehicles are "motor vehicles" has attempted to ensure that they conform with the Federal Safety Standards to the extent practicable, as evidence in MIL-STD-1180B..."

Hawaii, has needlessly required older vehicles including surplus military vehicles, regardless of the year they were manufactured to be in compliance with all applicable FMVSS regardless if they are exempt or not, without any justification or reason. Even if certain types of military vehicles do not have the certification due to age, they are within the FMVSS standards and are able to pass a State required "Safety Check" in order to obtain Hawaii State registration. The same surplus military vehicles such as the M998 (Humvee) which was introduced in 1983, is still operated by the US Military 36yrs after the fact and has all the required safety features to operate both on and off road, features that include turn signals, brakes lights and seatbelts etc.

Hawaii's inventory of registered vehicles including the "Special Interest Vehicles" will continue to meet the required safety standards that help keep our roads safe for Hawaii's residents.

Surplus Military vehicles are an excellent product for restoration for both historians and hobbyists alike and they were not only manufactured for use "off road" but on our public roads as well, or the US Military wouldn't be using them on our public roads or selling them to the general public for reuse.

US Defense was the primary reason for the Public Road System in the first place, to say Military Vehicles are not intended for use on roads that were built with them in mind contradicts its originally intention. The Public Road System was launched by the Interstate Defense Highway Act of 1956. One in five miles of the Interstate System is straight so that military vehicles can convoy and airplanes can land in emergencies, so I highly doubt that the "weight" of a Humvee (M998) which falls within the same Class III weight category as the Ford F350 or the GMC 2500HD would greatly degrade our roadways rather than the numerous tractor trailers that fill our road during our daily commute each day. So a military vehicles weight shouldn't even be considered a factor, as they will "rarely" carry the amount of weight they were intended too.

The AMG Humvee (M998) was never intended for direct combat, but rather designed as a "personnel and light cargo truck". By this description, I see no major differences between how the military uses their vehicles including the Humvee (M998), and how I intend to use mine (or how others will use theirs). The AMG Humvee (M998) and the AMG HUMMER H1 (civilian version) were intended for the same purpose.

Lastly, most of these surplus military vehicles including the Humvee (M998) do comply with Federal Motor Vehicle Safety Standards (FMVSS) and are able to meet most if not all requirements as described. As a disable military vet, it is important to me to keep our military history alive for the generations to come. As they (the DOD) are decommissioning hundreds of military surplus vehicles including the Humvee (M998) and scraping them for metal. I believe that the AMG Humvee (M998) is the "Willys Jeep" of my generation and I would sorely hate to watch it fade away much like alot of our rich military heritage has already.

Thank you for the opportunity to provide my testimony.

HB-323-HD-1

Submitted on: 2/20/2019 11:17:10 AM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John M Cummings III	Individual	Support	No

Comments:

I am in strong support of HB323. As a military vehicle owner and enthusiast HB323 would allow surplus former military vehicles to be classified as special interest vehicles. This would enable more military vehicle owners to preserve and share this unique part of our Hawai'i military history.

HB-323-HD-1

Submitted on: 2/20/2019 11:43:28 AM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Support	No

Comments:

I strongly SUPPORT this bill. Former military vehicles that have "served" and are now in civilian hands need to be properly registered and insured. Former military vehicles are only used in parades, historical events, car/collector shows, etc. Restored military vehicles are meticulously maintained to high operational and safety standards. Please pass this measure so all vehicle enthusiasts can legally enjoy their hobby. Thank you.

HB-323-HD-1

Submitted on: 2/20/2019 12:28:02 PM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Malunao	Individual	Support	No

Comments:

Aloha,

My name is Joshua Malunao and I am in favor for HB323. I feel this bill will allow part of America's history to continue on. With individual owners being able to register legally with City and County of each island. This will bring additional revenue for the state of Hawaii. On different levels the State will generate income for vehicle registration, safety inspection, and fuel taxes, etc.

HB-323-HD-1

Submitted on: 2/20/2019 12:55:24 PM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Individual	Support	No

Comments:

We cannot forget the sacrifices of those who served

us.

HB-323-HD-1

Submitted on: 2/20/2019 12:59:01 PM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
William Kapua Jr	Individual	Support	No

Comments:

Please let our support of preserving military vehicles continue so that future generations may appreciate it.

HB-323-HD-1

Submitted on: 2/20/2019 5:10:29 PM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerrah Badua	Individual	Support	No

Comments:

I have experince riding and maintaining these vehicles and they are very safe for road use. It is important that we perseve our "history" and these vehicles are a big part of that history. We need to persevre and pass on to the younger generation our military past.

Thank you for hearing my Testimony

Aloha

HB-323-HD-1

Submitted on: 2/20/2019 5:59:55 PM

Testimony for CPC on 2/20/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Abe MANGRUBANG	Individual	Support	No

Comments:

Aloha,

I am Abe Mangrubang jr Usmc retired, and having served 30 plus year's of service and 10 plus year's a DoD civilian. I have driven many vehicles for military support. The humvee is very stable and forgiving. Unlike the Ford bronco 2, which has a high center of gravity, has many rolled incidents. So has the largest suvs on the market. But compared to other vehicles, the humvee is very forgiving and there is less roll over compared to ford, chevy, gmc and all others. I have owned 5 k5 blazers, a ford bronco, pathfinders, and have noted that the confidence off road or on is very different from a military humvee. If it were a dangerous vehicle like the former wills jeep of world War 2 and up until the late 70's. Uncle sam would have cut up every humvee to avoid potential deaths. But they chose to sell and understand the attributes this vehicle has compared to today's suvs. I stand to inform, that as a mechanic on aircraft, a military retiree that this vehicle is justified to own and operate. Several more states have already approved on road registered use. I have recurring PTSD, and owning equipment and feeling at home when I drive my humvee, satisfies my integrity. I hope that you support us and our passions. These vehicles cannot be made to drag race, nor go to high speeds. It's a diesel, owned by enthusiasts, military retirees, hobbyists and most of all those that enjoy part of their career having driven them, which I am proud to be. Please vote yes and let us register in our home state. ...abe mangrubang jr Usmc retired