

TESTIMONY BY:

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

March 29, 2019
3:30 P.M.
State Capitol, Room 308

S.B. 824, S.D.1, H.D.1
RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS.

House Committee on Finance

The Department of Transportation **supports** S.B. 824, S.D.1, H.D.1.

This bill, in part, prohibits the operating of a motor scooter and moped from any rental company unless the person wears a safety helmet provided by the rental company or person provided that this requirement does not apply to a person who possesses a valid license from any state to operate a motorcycle.

In Hawaii, according to State fatality data, during the calendar years of 2016 - 2018, of the 23 motor scooter and moped operator fatalities; 22 operators or 96 percent were not wearing helmets.

This bill will help reduce the amount of these types of fatalities.

Thank you for the opportunity to provide testimony.

SB-824-HD-1

Submitted on: 3/28/2019 9:33:36 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sunny Juarez	Whitewater Connection & Gold Lotus Yoga & Pilates	Support	No

Comments:

I strongly am in support of Lexi's Law SB824. A helmet has been proven to save lives and prevent possible head injuries. As an owner of a white water rafting company we make sure that our patrons have the proper personal protective equipment including a helmet. A helmet can protect a patron if ejected from a raft and comes in contact with a rock. The same would be effective riding a scooter, going down and hitting your head. Hawaii is known for their strong winds and scooter/moped accidents. The people renting moped/scooters usually have zero to little experienced on these types of motorized bikes, it only makes sense to require them to wear PPE for their protection. This also saves the state money from accrued costs of non insured hospital visits and medical expenses.

Please pass Lexi's Law SB824!

Sincerely,

Sunny Juarez

SB-824-HD-1

Submitted on: 3/28/2019 9:51:34 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Jenkins	Lexislaw808	Support	No

Comments:

Please Pass Lexi's Law SB824, as I am the Father of the beautiful young lady that passed away on a Scooter August 15, 2017 in Wailea, Maui next to the Emerald Course. My daughter was my golf partner and my only child.

Being 24 you are full of adventure, full of life and you have the world by the tail. Even though Lex was brought up wearing a helmet, I'm sure she felt that it would be safe to ride a scooter without a helmet since no helmet law is enforced in Hawaii. This is a false perception to all visitors renting scooters/mopeds. Hawaii is known for their many scooter/moped fatalities and accidents. Yet visitors wouldn't know the dangers of riding, as the awareness is not present on the islands.

I am respectfully requesting that Hawaii pass SB824 and protect our children and loved ones. We have been given a life sentence without our child. I will never be able to walk my daughter down the aisle or have any grandchildren. We do not celebrate holidays anymore and we live by one breath at a time, as a day is too long.

That phone call on August 15, 2017 was the worst phone call a parent can receive. The five-hour plane ride over was incomprehensible. Going through the motions once we arrived in Hawaii and figuring out what to do next, was a parent's worse nightmare. Identifying Lex by her Hawaiian Islands tattoo on her ankle she got the year prior in Kauai, a helmet might have allowed me to give her a final kiss on the cheek. Then we watched the cremation of our only child, as we felt the need to be with Alexis until the very end. Our hopes and dreams gone!

Legislation has the power to save someone from going through what we have gone through. Please escalate and implement Lexi's Law SB824, the Senate passed this unanimously and I implore you to now do the same.

There is so much data that supports a helmet law and the monetary benefits that the state often absorbs due to these types of accidents.

Saving someone's life, preventing head trauma, reducing the number of fatalities in Hawaii, saving the state from incurred medical expenses etc....

The well-published data supports this, I have to ask what could possibly hold this back from passing?

We recently learned that PONO means do the right thing in Hawaiian, I believe this holds true with this bill.

Lexi's Daddy Forever

Tim Jenkins

SB-824-HD-1

Submitted on: 3/28/2019 9:57:17 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Jenkins	lexislaw808.com	Support	No

Comments:

I Danielle Jenkins support Bill SB824 as this bill hits very close to home. We lost our only child Alexis Jenkins in a scooter accident in Maui August 15, 2017. Our daughter held a Black Belt in Tae Kwon Do, made the Varsity Golf team her Sophomore year of High School. Lex Modeled, Sang, did Yoga, snowboarded, snow skied, wake boarded, water skied, solo skydiver, equestrian etc...Lex even ran for Miss California 2016. Most of these sports require lessons, helmets and special training. Yet there are no lessons, minimal instruction or a helmet law to protect our loved ones riding a two wheeled motorized bike that they are not familiar with when they visit Hawaii. Most visitors that rent moped and scooters have minimal to zero experience riding these motorized bikes. Hawaii requires a helmet to be worn on Construction sites, also their motorcycle police force wear a helmet for their safety. So the knowledge of helmet/hard hat PPE safety is there, just being ignored.

Our daughters Death certificate reads "Blunt Trauma to the Head". A few weeks ago there also was another moped accident in Maui with Head Trauma. I'm unaware of the outcome of this young 25 year old man, but a head trauma can be prevented with the use of a helmet. The head is fragile and needs to be protected. All the data supports that a helmet helps saves lives and saves the state money from unnecessary medical expenses due to the uninsured.

The Hawaiian locals are very vocal on Social Media in regards to the importance of wearing a helmet. There is even a post where someone references Moped/Scooter riders as "Organ Donors".

When these accidents happen on your islands, it affects so many and knowing that some of these can be prevented, is incomprehensible.

This will not change our life but hopefully this bill if passed will change the fate of someone else's loved one. The pain is real, raw and deep!

We have over 15,000 people that have visited lexislaw808.com. This website is raising the awareness on the dangers of riding a scooter/moped in Hawaii and the importance of wearing a helmet.

Because of the well-known infrastructure issues on the islands, I believe it is imperative to veer on the side of caution and be proactive in implementing a helmet law.

I am respectfully imploring Legislation to do the right thing and move forward with Lexi's Law SB824. This can only save lives and prevent possible head injuries.

Respectfully,

Alexis's Mom

Danielle Jenkins

SB-824-HD-1

Submitted on: 3/27/2019 2:01:47 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Hill	Individual	Support	No

Comments:

I Cyndi Hill strongly support Lexi's Law SB824. I have family that lives on the island that have witnessed scooter/moped accidents and fatalities. I also have family that visit the islands and it's imperative that their heads be protected with a helmet. Anything less is unacceptable.

sincerely,

Cyndi Hill

SB-824-HD-1

Submitted on: 3/27/2019 2:58:01 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
hailey davidson	Individual	Support	No

Comments:

I support this bill

SB-824-HD-1

Submitted on: 3/27/2019 3:04:32 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Tavidagian	Individual	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/27/2019 3:09:34 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy Seagren	Individual	Support	No

Comments:

To whom it may concern I am in total favor of Alexis's law including my daughter McKenzie Seagren and my boss Gary Busey that I am an assistant to please pass this law

SB-824-HD-1

Submitted on: 3/27/2019 3:12:46 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Jacoshenk	Individual	Support	No

Comments:

I support this bill.

SB-824-HD-1

Submitted on: 3/27/2019 3:12:52 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
michelle avalos	Individual	Support	No

Comments:

I support this bill!

SB-824-HD-1

Submitted on: 3/27/2019 3:26:13 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
leah totten	Individual	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/27/2019 3:28:39 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Avery Kaz	Individual	Support	No

Comments:

My name is Avery Kaz and I strongly support SB824, aka Lexi's Law.

Alexis Jenkins was a dear friend of mine, and it breaks my heart knowing that her death may have been prevented if she had been wearing a helmet on that fateful day she was riding a motor scooter.

Many years ago, I myself used to ride motorcycles. However, a very bad accident left me with compound fractures to my left arm (approximately 30 fractures) and left leg (approximately 20 fractures). My life was saved because I was wearing a helmet; in fact, there is a chunk missing in the forehead region of my helmet where my head had its initial impact.

It is well understood that there are inherent dangers associated with two-wheeled motorized cycles, particularly when driven on public roads; and that accidents can happen to both experienced and novice riders alike. However, that risk is exponentially increased when the rider has little experience. Many novice riders, I believe, are not fully aware of all of the potential dangers and distractions surrounding them. Additionally, there is a false sense of safety that many novice riders have, thinking that because they are riding a moped or scooter -- and not a larger, more powerful and faster motorcycle -- that they likely won't get that hurt in the event of an accident. This couldn't be further from the truth.

While a new helmet law cannot bring Alexis back, it is my hope that this law will help prevent countless other people from losing their valuable lives; and thereby also eliminate the pain and suffering their loved ones would subsequently have to endure from such losses.

I sincerely ask that you support SB824. Many lives will undoubtedly be saved, and an even greater number of people will not have to suffer crushing heartbreak.

Respectfully yours,

Avery Kaz, Ph.D.

Human Anatomy, Orthopedics

SB-824-HD-1

Submitted on: 3/27/2019 3:48:56 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Ziem	Individual	Support	No

Comments:

No one should have to bury their child as our friend did due to no helmet law in the state of Hawaii. Please consider and pass this bill for the safety of others. Thank you!

SB-824-HD-1

Submitted on: 3/27/2019 3:52:00 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leigh Ann Weiss	Individual	Support	No

Comments:

This needs to be passed so that no other family has to go through this and we can honor Lexi's short life she lived and will forever be missed... Thank You. Have a wonderful day. xoxoxo

SB-824-HD-1

Submitted on: 3/27/2019 3:56:47 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
anna griffith	Individual	Support	No

Comments:

Since I grew up with Alexis as my best it was completely terrible loosing her and watching her family, people I consider family, go through the loss of their only child. The worst part about losing Alexis was the fact that is was due to something that could have been completely prevented. My testimony is simple and clear. The enforcement of a single helmet can change an entire families life, from loosing someone to having their life/ family or friend's life saved. I asked that we continue to move forward and prevent the loss of lives by making Hawaii a state that enforces the helmet law. Thank you for your time

SB-824-HD-1

Submitted on: 3/27/2019 4:08:29 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Corpus	Individual	Support	No

Comments:

Dear governing authorities

Thank you for bearing with us, all of us in favor of Lexis law. I kindly implore you to proceed with making Lexislaw a reality. This is such a good law that no one will ever regret for it will save lives and keep for the most part, many a tourist or visitor enjoying the thrills of Hawaii for generations to come. I know you will feel proud to endorse Lexislaw and we the people so grateful to you in doing so.

Kindest regards

Kim Corpus

SB-824-HD-1

Submitted on: 3/27/2019 4:25:57 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Michaels	Individual	Support	No

Comments:

This bill has unanimous support in the Legislature - three Senate committees, the full Senate, and two House committees, all with not a single No vote. Please make it a clean sweep!

Supported by the State Dept. of Transportation, no cost to the taxpayers, saves lives, exempts experienced motorcycle riders, targets inexperienced, mostly visitors, who ride a scooter or moped with little or no experience on roads they're unfamiliar with, gazing at the beauty of Hawaii around them instead of the road.

Put a helmet on them. Please vote Yes on SB824! Mahalo.

SB-824-HD-1

Submitted on: 3/27/2019 4:34:37 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeri Grimes	Individual	Support	No

Comments:

I visited Hawaii in the 1980's as a caretaker/nanny to my bosses children. They rode moped's and one of them fell and hit his head, and got a goose egg and slight concussion. At that point I couldn't understand why there was not some type of law to prohibit injuries to people using mopeds around the islands. I firmly believe that Moped and motor scooter rental companies should be required to ensure that the riders wear a safety helmet while operating the moped or motor scooter. I believe we would see a decline of fatal head injuries while local people and those on vacation to some of the most beautiful islands in the world.

SB-824-HD-1

Submitted on: 3/27/2019 4:50:57 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
hannah bocksnick	Individual	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/27/2019 4:59:03 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Mauldin	Individual	Support	No

Comments:

This helmet law could save so many lives. Please pass this. Thank you, sincerely
Donna Mauldin

SB-824-HD-1

Submitted on: 3/27/2019 4:59:58 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Masalta	Individual	Support	No

Comments:

I am in STRONG SUPPORT for SB824-LexisLaw.

I am a 59 year old woman, mother, grandmother, wife, and friend to many. My prayer since I had my 3 children everyday is “Dear God, Please do not take my children before me”. I have been blessed. We have a daughter and two sons. Our daughter and middle son live in California. Our youngest son lives here on Maui with his wife and my 2 young grandsons. My husband and I live on Maui. My husband, my son in law and my two sons are all motorcycle riders and am very thankful that they believe as I and wear the proper protective gear and have the proper training to operate a 2 wheeled vehicle.

With that said: Our beautiful islands are a hub for tourists all over the world. Tourists that pay good money to visit our islands and put money into our communities. The same community that is renting what I believe are modified mopeds/scooters. In my opinion, these UNKNOWINGLY - UNEXPERIENCED visitors are getting on a 2 wheeled vehicle thinking it tops out at 35mph when in fact it has been modified to go 15 – 20 mph more to carry the weight of a heavier person up the hills..... The least a moped company can do is provide protection for the most important part of the human body. We should be protecting these lives as if they were our own Ohana. Our law enforcement should not have to call a family member to advise them that their loved one has died. I know this will not bring Alexis back to her family but maybe, just maybe, one life will be spared from ever receiving such horrible horrible news.

There are so many roadside memorials from East Maui to West and North to South as I am sure throughout our State. A lot are motorcycle accidents or moped/scooter. The tragedy here is that some could have been prevented if they were wearing a helmet. I’ve read article after article with the statement, “fatal accident” or “wasn’t wearing a helmet”. DOT reports out of the 23 moped/scooter accidents in the past 2 years, 22 were not wearing a helmet. That’s an alarming number!!

This public testimony below by Lexi’s dad, Tim Jenkins, says it all. I was so moved and can’t imagine another parent having to experience what they have.

“That phone call on August 15, 2017 was the worst phone call a parent can receive. The five-hour plane ride over was incomprehensible. Going through the motions once we arrived in Hawaii and figuring out what to do next, was a parent’s worse nightmare.

Identifying Lex by her Hawaiian Islands tattoo on her ankle she got the year prior in Kauai, a helmet might have allowed me to give her a final kiss on the cheek. Then we watched the cremation of our only child, as we felt the need to be with Alexis until the very end. Our hopes and dreams gone!" Tim Jenkins

This is heart wrenching to read as a parent.

Therefore, I implore you to pass SB824 for the safety of those visiting our beautiful State of Hawai'i. Let them go home with wonderful memories. Let them go home safe.

Most Respectfully Yours,
Marjorie Masalta

SB-824-HD-1

Submitted on: 3/27/2019 5:02:04 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Sippel	Individual	Support	No

Comments:

I, Paul Sippel, am in support of SB824.

I have been on two wheels since I was 8 years old. That would make 41 years of riding, both on and off road. I began working at a moto park in CA at age 11 and know first hand that helmets save lives.

That being said, I don't believe that a licensed driver of a motorcycle should be forced to wear a helmet. That is specifically because this person has the proven knowledge to be licensed and as such can make an informed decision.

An amateur rider is another story. They may have background in riding a motorized two wheel vehicle, but we definitely know they have not been proven educated enough to make an informed decision regarding the safety of both themselves and others. This made even more important when you combine the fact that scooters do not operate in the same manner as most other cycles. With the lowest center of gravity of almost any motorized cycle it is neither smooth nor graceful. It is underpowered when traveling roads with full size vehicles. A strong cross wind will push you easily. And who probably has no knowledge of this? Almost every renter of scooters.

I witnessed the outcome of Lexi's accident first hand. I covered her body. I know that a helmet would not of changed the outcome of this horrible blot on Maui. But for the sake of the next son or daughter that thinks a scooter would be fun, because how hard could it be, make them go home safe. Make them wear protection if they are not licensed. Let us be the uncles and aunties who look out for our ohana in spite of ourselves.

If you truly do not wish to wear a helmet, then be licensed to ride.

Respectfully,
Paul Sippel
Kihei, HI 96753

SB-824-HD-1

Submitted on: 3/27/2019 5:06:09 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Canada	Individual	Support	No

Comments:

I, Jason C., am in support of SB824 for a safety helmet law for the State of Hawaii.

I am a certified motorcycle mechanic and rider. I took serious training to obtain my motorcycle license.

On a motorcycle you need to be aware at all times and anticipate what other drivers will potentially do on the road. Weather conditions on our islands can be extreme. Mopeds/scooters are pushed around by wind or a passing vehicle. Without the proper training or safety gear operating a two wheeled vehicle can be extremely dangerous. I don't believe they are receiving this training when renting a moped/scooter. If we are going to allow these rental companies to rent these two wheeled vehicles, modified or not, we need SB824 to pass and keep all visitors as safe as possible and I don't believe a helmet is too much too ask.

Please pass Bill SB824.

Respectfully yours,
Jason Canada
Kihei, HI 96753

SB-824-HD-1

Submitted on: 3/27/2019 5:13:18 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Canada	Individual	Support	No

Comments:

I am in support of SB824

I am a motorcycle rider and mechanic for over a decade. I am licensed to operate a 2 wheeled vehicle and I know how to react in the safest way possible in a given situation. I wear a helmet!

Helmets need to be worn especially on the mopeds that are rented due to most of the people renting them have little to no experience riding any kind of two wheeled motor vehicle.

Please pass SB824.

Jacob Canada

SB-824-HD-1

Submitted on: 3/27/2019 5:19:59 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Janes-Brown	Individual	Support	No

Comments:

Aloha Chair members of the Finance Committee,

My name is Paul Janes-Brown. I live in Pukalani on Maui. I am a former motorcycle safety instructor and an experienced rider. I am shoked Hawaii has not had such a law in place already. It is tragic because out of the 23 fatalities associated with scooters and mopeds, 22 of them may have been alive had this bill been enacted sooner. This is a no cost bill. I cannot believe that rental companies were allowed to effectively commit homicide by not providing minimal safety devices for their customers.

I know that motorcycle rental companies require their customers have a helmet for the driver and the rider. I implore you to support this bill as have all the three Senate committees it has already passed as well as the entire Senate and two other House committees. Please join them in this sensible life saving measure. Mahalo nui loa.

Me ka ha'aha'a,

Paul Janes-Brown

SB-824-HD-1

Submitted on: 3/27/2019 5:26:13 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Lute-Faust	Individual	Support	No

Comments:

Please pass this very important law to help save lives and prevent injuries due to accidents involving tourists who rent motorbikes and scooters while visiting your beautiful island.

Thank you,

Jill

SB-824-HD-1

Submitted on: 3/27/2019 5:27:17 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Hill	Individual	Support	No

Comments:

Thank you Finance Chair Rep. Sylvia Luke for calling for a hearing on SB824Lexi'sLaw808.

My name is David Hill and my wife Lisa fully support this law. We have been riding motorcycles all our lives and have had friends crash behind us. If not for them wearing helmets they might not be here today. We love Hawaii and all the different inlands. We have been to 3 but are favorite is Maui. We have witness a moped accedent the last time we were there and it was not pretty. 23 people have died in 2 years and only one of them were wearing a helmet. How many of the 22 might have surive if they were wearing a helmet. My guess is half or more. Please pass this bill to protect your Hawiian vistor. Let them go home. Thank you

SB-824-HD-1

Submitted on: 3/27/2019 6:01:19 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julie Gragg	Individual	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/27/2019 6:40:37 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia McNamara	Individual	Support	No

Comments:

I am in full support of requiring helmets for moped and motor scooter rentals in the state of Hawaii. I have visited the islands of Oahu, Maui, and Hawaii several times. When renting a moped or scooter, I would want to wear a helmet for my own protection. I think it is a small price for the rental companies to provide a helmet that could save a life.

I have a friend who lost their only daughter in a fatal moped accident on the island of Hawaii. They are the couple who initiated this bill in the legislature. I would think that legislators would want to protect their citizens, as well as tourists who visit the islands. Please support this bill to your fullest ability. Thank you.

SB-824-HD-1

Submitted on: 3/27/2019 6:38:53 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teela	Individual	Support	No

Comments:

Please pass SB824 Lexi'sLaw!! So many people visit Hawaii's beautiful islands, unaware how dangerous driving a scooter/moped could be. Just like Alexis Jenkins did on Aug 15,2017. She was vacationing with her family, taking in the sites, enjoying her time as she always tried to live life to the fullest. Unfortunately, she was tragically taken from us. If this bill (SB824) were in place, I know Alexis would have been wearing a helmet that day & maybe I would be able to talk to my best friend today. Endless studies have proven ::: Helmets Save Lives!! This can't go on any longer. We all love & miss her SO very much & by passing this law, in her name, would mean so much to her family & all of us who are hurting everyday so badly. Lexi'sLaw will only help prevent future injuries & save lives! Unfortunately it won't bring her back, nothing can, but it can dramatically lower/eliminate other unnecessary brain injuries & fatalities & help other families from going through this ... & I know that's what Alexis would want. The kind of person Alexis was, always helping & giving to others, whether she is here in person or not, I know she would want & would be helping to pass this bill to protect others. Alexis was one of the best, most kind-hearted & selfless kind of person there is; she was always helping others & greatly impacted so many other lives. I believe, in a way, she still is. Like they say in Hawaii:: 'Pono'. Let her help us & let's 'do the right thing' & pass SB824 & help others & save lives!

SB-824-HD-1

Submitted on: 3/27/2019 6:43:44 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Strand	Individual	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/27/2019 7:40:18 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anastasia	Individual	Support	No

Comments:

If there was a 1% chance that a life could be saved by wearing a helmet, why not? It requires gasoline, it should require a helmet as well.

SB-824-HD-1

Submitted on: 3/27/2019 7:41:57 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Green	Individual	Support	No

Comments:

As a timeshare owner and frequent visitor to Maui, I support Lexi's Law, to encourage moped safety. I also knew Lexi and I know passage of SB 824 will save lives and help heal her family.

thank you,

Pat Green

4238 SW Tommy Armour Ln

Redmond OR 97756

SB-824-HD-1

Submitted on: 3/27/2019 8:55:18 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Michaels	Individual	Support	No

Comments:

Aloha Chair Luke and Members of the Finance Committee:

I strongly support this bill.

On August 15, 2017, a 24-year-old woman from California was riding a rental scooter on the road in front of my home on Maui. Ms Lexi Jenkins died after losing control of her scooter and colliding with a truck. She suffered a head injury and died at the scene – she was not wearing a helmet, if she had been wearing a helmet she may have survived. This was a terrible tragedy.

Mr. & Mrs. Jenkins paid the ultimate price, losing their ONLY child. No one should ever have to suffer that loss. They have promoted this law to spare others from every receiving the devastating phone call they recived that day.

Lexi Jenkins often rode her bike on the roads of Northern California, always wearing a helmet. However, when she rented the scooter in Maui, she was not given a helmet even though she had no prior experience of operating a scooter and no knowledge of the roads of Maui - many DO NOT have any bike lanes or shoulders for motor scooters or mopeds.

Visitors come to Hawaii, rent scooters and mopeds with no experience or expertise on how to operate them. Wearing a helmet would give them a better chance of surviving if they are in an accident - all the statistics show this to be true!

No one should die on our roads because they are not wearing the proper safety gear. We require every passenger in a car or truck to wear a seat belt because it saves lives. This bill will save lives.

This is a no cost to bill and a sensible life saving measure - please pass this bill.

Mahalo nui loa.

Judith Michaels

Makena, Maui

SB-824-HD-1

Submitted on: 3/27/2019 9:22:32 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DEBORAH S EDELMANN	Individual	Support	No

Comments:

PLEASE place this into LAW - TO SAVE LIVES.

It only makes common sense to protect our loved ones on moving vehicles.

Our friends have lost their BELOVED Daughter Alexis due to not having a helmet.

PLEASE.... FOR THE PEOPLE WE LOVE.

SB-824-HD-1

Submitted on: 3/28/2019 2:46:23 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bonnie London	Individual	Support	No

Comments:

Please vote YES on SB824. As a registered nurse who worked in a trauma unit, I've cared for patients who suffered severe closed head injuries because they weren't wearing a helmet while riding. Many were young and had debilitating injuries that resulted in deficits that will last their entire lives. These were the ones who survived. The data and studies are conclusive that wearing helmets saves lives and protects the brain.

SB824 is a common sense, reasonable bill that costs the state of Hawaii nothing. In the past two years, there were 23 scooter and moped fatalities. 22 of those involved riders weren't wearing a helmet.

SB824 will save lives and protect people from brain injury. It also saves money related to hospitalizations, medical care treatment, lost wages and productivity, legal and insurance costs, property damage and repair. Most importantly, it saves heartbreak and devastation for families who suffer the loss or injury of a loved one.

Vote YES on SB824. It's clearly the right thing to do.

Thank you,

Bonnie London, RN

SB-824-HD-1

Submitted on: 3/28/2019 5:32:03 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Scheimer	Individual	Support	No

Comments:

I never got to meet my cousin after a moped accident claimed her life. I met my birth-dad after doing an ancestryDNA test after 36 years of wondering who he was. It wasn't long before I met him that Lexi was killed in a moped accident. I never got the chance to meet her. I don't want any other family to have to go through this kinda loss.

Thank you!

SB-824-HD-1

Submitted on: 3/28/2019 5:57:55 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Brothers	Individual	Support	No

Comments:

I support this bill and like very much for it to pass.

SB-824-HD-1

Submitted on: 3/28/2019 6:13:15 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Farr	Individual	Support	No

Comments:

I wholeheartedly support the passing of this bill to help prevent tragic and needless loss of life due to head injuries.

Sincerely, Donna Farr

SB-824-HD-1

Submitted on: 3/28/2019 6:16:33 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paige Wood	Individual	Support	No

Comments:

Please take motion to make our roads and communities safer by passing this law.

SB-824-HD-1

Submitted on: 3/28/2019 6:29:15 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon Teal	Individual	Support	No

Comments:

Of 23 scooter and moped fatalities in the last two years, 22 riders did not have a helmet. This bill costs nothing and will save lives by requiring rental companies to provide their riders with a helmet if they don't have one.

It exempts experienced motorcycle riders who have a motorcycle license, targeting only rentals of scooters and mopeds.

My friend Lexi lost her life without a helmet on a scooter.in Maui. Please vote **Yes on SB824.**

SB-824-HD-1

Submitted on: 3/28/2019 7:02:37 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
adam blumgold	Individual	Support	No

Comments:

I SUPPORT SB824

SB-824-HD-1

Submitted on: 3/28/2019 7:05:16 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
travis shaw	Individual	Support	No

Comments:

I support sb824. Save lives!

SB-824-HD-1

Submitted on: 3/28/2019 7:38:22 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kayla Davidson	Individual	Support	No

Comments:

Please we need this!!!

SB-824-HD-1

Submitted on: 3/28/2019 9:14:02 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
karen simpson	Individual	Support	No

Comments:

I am in full support of SB824

As a frequent visitor of the Hawaiian Islands I have witnessed the increase in traffic every year. I also have read all of the social media and news reports and Hawaii definitely could benefit with a mandatory helmet law. If my children or grandchildren head to the islands and decide to rent a moped, we would hope that a helmet would be mandatory. It is common knowledge of the dangers of these motorbikes, why wouldn't Hawaii protect those that have little experience on them? I believe this to be a reasonable request. My husband was in a serious motorcycle accident in Las Vegas, Nevada and a Helmet saved his life. It can save your loved ones as well.

Sincerely,

Karin Chastain Simpson

SB-824-HD-1

Submitted on: 3/28/2019 9:56:57 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chauntell Arwood	Individual	Support	No

Comments:

I full heartedly support this bill. My family went through one of the worst experiences that anyone should have to go through. Seatbelts are a law to help prevent death, the same should be for helmets. The number of moped, scooter and Motorcycle deaths in Hawaii is extremely sad and some could have been prevented. Visitors that come to Hawaii should still be able to experience new ways of travel, but with safety requirements to help them come back home safely.

Again, I plead with and urge you to pass this bill so it can be prevented for families to have to experience what we did when our loved one did not come back home. We will always miss Lexi.

SB-824-HD-1

Submitted on: 3/28/2019 11:07:01 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Hill	Individual	Support	No

Comments:

I support this bill because saving lives is important. Visitors should be able to experience new ways of traveling with the safety of a helmet to be able to return home to their family. Please pass this bill so other families don't have to experience the grief ours has.

SB-824-HD-1

Submitted on: 3/28/2019 11:16:24 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cindy I Morse	Individual	Support	No

Comments:

Please , please vote yes on SB824

Sincerely

Cindy L Morse Picaro

SB-824-HD-1

Submitted on: 3/28/2019 11:16:30 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mandy Tyner	Individual	Support	No

Comments:

I am in support of this law as Lexi was my cousin and never returned from Hawaii after her fatal moped accident. I understand most locals do not agree with this law however when people go to your state with little or no experience on a moped, I believe a helmet should be required to lower the fatality rate. Although nothing can bring her back, if this can save one life or another family the grief we have endured, I think it's worth it to future visitors.

SB-824-HD-1

Submitted on: 3/28/2019 11:34:57 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Hyde	Individual	Support	No

Comments:

Please vote for this bill to protect tourists, primarily, from grave bodily harm associated with scooter rentals. I see them here in Wailea Makena on scooters without helmets while riding unfamiliar vehicles in an unfamiliar place with lots of distractions. Death and serious bodily injury are too often the result.

SB-824-HD-1

Submitted on: 3/28/2019 11:51:24 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nick Arwood	Individual	Support	No

Comments:

I support this legislation, based on facts and common sense. Helmets save lives, and help reduce the risk of serious bodily harm in the event of an accident, period. There are absolutely no compelling reasons why someone riding in/ on an open air vehicle should not protect themselves, or other people around them. This legislature is reasonable, and helps to protect both individuals, and the State, physically, morally, and economically.

SB-824-HD-1

Submitted on: 3/28/2019 11:58:36 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Dillender	Individual	Support	No

Comments:

Just like seatbelts I think helmets should be required. I have a valid motorcycle license and I would never ride without a helmet. We have the numbers to show how many lives would be saved just by wearing a helmet.

SB-824-HD-1

Submitted on: 3/28/2019 12:01:43 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy Schechter	Individual	Support	No

Comments:

This bill must pass. It will save many lives!

SB-824-HD-1

Submitted on: 3/28/2019 12:23:09 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kiera earney	Individual	Support	No

Comments:

I would like to express my support for SB824. As an ICU nurse, I fully support a measure that could help reduce fatalities and life changing accidents.

SB-824-HD-1

Submitted on: 3/28/2019 1:10:26 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
shayna	Individual	Support	No

Comments:

This bill is SO close to my heart and so many others. This is going to save so many lives and it will make a big impact on the safety of those who are visiting your islands. This bill does not affect locals in any way since it is only for rentals, so I can't understand why anyone wouldn't want this to be passed. Please, Let's continue to send tourists home safely and pass this bill! Thank you!

SB-824-HD-1

Submitted on: 3/28/2019 2:30:20 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Arwood	Individual	Support	No

Comments:

Once again I will compare these proposed safety regulations to similar regulations in place around other activities like SCUBA and the act of driving. Both have at least some minimum threshold for safety and training, the same approach needs to be applied to other high risk activities.

For SCUBA we have dive training and certifications that need to be provided in order to simply fill a tank at a legitimate shop. With the act of driving it is "Click it or Ticket", that simple.

Safety saves lives, no industry should be exempt.

SB-824-HD-1

Submitted on: 3/28/2019 3:28:34 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David L. Wilson	Individual	Support	No

Comments:

I strongly support Bill SB824.

As a resident of Wailuku the experience and beauty of Maui is stunning. This is more true for visitors seeing the island for the first time. Anyone who has rented a moped on this island, understandably, will be joyously distracted by the vistas at every turn. Panoramic vistas. The concentration of these riders will be challenged--the job of riding carefully on unfamiliar roads will be difficult. I support giving them a fighting chance at surviving an accident by requiring helmets.

FIN-Jo

From: Katy Sauer <katesauer21@gmail.com>
Sent: Wednesday, March 27, 2019 6:16 PM
To: FINtestimony
Subject: LexisLaw SB824

I support this bill, LexisLaw SB824. This will not bring my friend Lex back, but maybe it will save someone else's loved one in Lexi's honor.

Sent from my iPhone

FIN-Jo

From: Karin Reeves <karindcox@icloud.com>
Sent: Wednesday, March 27, 2019 5:44 PM
To: FINtestimony
Subject: SB824

I support this bill 824 and would like to see a hearing on this matter!!

This pertains to many life saving opportunities!

While it does not bring back our Lexi, it may give another individual or family a higher percentage of Surviving such a horrific injury that can result in a life lost!!

I believe it should have its day to be heard and voted on. As a mother and grandmother, I believe in helmet safety Always !! I feel there are some that aren't educated in the safety of the helmets and don't think much of it, while out vacationing you tend to really throw out precaution, so as a rental business for Mopeds and scooters they are educated and I feel should have the responsibility to teach such safety precautions, to those less educated on the matter. It can make the difference in life or death for some.

Thank you
Karin Reeves

Sent from my iPhone

FIN-Jo

From: hamasaki sayaka <conejo1sayaka@hotmail.com>
Sent: Wednesday, March 27, 2019 5:21 PM
To: FINtestimony
Subject: Lexi's Law SB824

Hi there, please support Lexi's Law SB824.

Mahalo,
Sayaka Retzlaff

[Outlook](#) から送信

FIN-Jo

From: Doug-n-Mary Gillen <doug-n-mary@att.net>
Sent: Wednesday, March 27, 2019 5:17 PM
To: FINtestimony
Subject: SB824

I would like to request your support for SB 824 Lexi's Law asking that when renting a moped or scooter, a helmet be worn This would apply to unlicensed people and would save a life if involved in an accident.
Thank you for your support.
MaryAnn Gillen

Sent from my iPhone

FIN-Jo

From: jennifer martin <jenn_martin01@hotmail.com>
Sent: Wednesday, March 27, 2019 4:59 PM
To: FINtestimony
Subject: Testimony for SB24

Please pass this bill for SB24

The state of Hawaii could save thousands of lives This life of Lexi could of have been prevented if this bill was would have been in place

Thank you for your time
Jennifer Martin
916 709-6025

Sent from my iPhone

FIN-Jo

From: Dawn Austin <swtbby57@att.net>
Sent: Wednesday, March 27, 2019 4:10 PM
To: FINtestimony
Subject: Sb824

Please please schedule hearing on Lexi's law! Helmets save lives!

My friends daughter was taken in a scooter accident. Please save other families from such tragedies!

Dawn Austin

FIN-Jo

From: Sami H <samanthahash@gmail.com>
Sent: Wednesday, March 27, 2019 3:58 PM
To: FINtestimony
Subject: SB824

To Whom It May Concern,

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Samantha Collins

FIN-Jo

From: Tamra Stevens <tstevens1316@gmail.com>
Sent: Wednesday, March 27, 2019 3:19 PM
To: FINtestimony
Subject: Testimony

To whom it may concern;

I support Lexi's Law - SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my family, friends, and even strangers, to be protected when visiting the islands.

Thank you,
Tamra Stevens
775-219-7791

FIN-Jo

From: Joanna Foglesong <joei424@hotmail.com>
Sent: Wednesday, March 27, 2019 3:05 PM
To: FINtestimony
Subject: Lexi's Law SB824

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Joanna Dixon & Danny Dixon

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FIN-Jo

From: Erika Hommel <erikahommel@gmail.com>
Sent: Wednesday, March 27, 2019 3:02 PM
To: FINtestimony
Subject: SB824

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Erika Hommel

Sent from my iPhone

FIN-Jo

From: Jessica Marciel <jessicamarciel2009@gmail.com>
Sent: Wednesday, March 27, 2019 2:59 PM
To: FINtestimony
Subject: Lexie's Law helmet law

I was Lexi's voice coach. She was a real force in the world. She fed the homeless she was a skydiver and biologist student and skier, and singer, advocate and one of the best people I ever knew.

We all miss her terribly.

She was an only child. She died so tragically in Maui and her heartbroken parents want to spare another family from a Moped fatality.

Please help us make this law a reality. Thank you in advance ♥

Jessica Marciel

702-809-5202

Las Vegas Nev 89113

Sent from my iPhone

FIN-Jo

From: doug vantgroenewout <dougvantg@icloud.com>
Sent: Wednesday, March 27, 2019 2:46 PM
To: FINtestimony
Subject: Lexis law

As a paramedic serving Maui county for 30 years, I have witnessed first hand the terrible outcomes of such trauma and know that a law such as this will only save lives. Let's finish this up. Pass the law and feel good about the lives you save by doing so

Thank you!
Doug Vant Groenewout
Paramedic
Maui county

Sent from my iPhone

FIN-Jo

From: Amanda Keasler <amandamkeasler@gmail.com>
Sent: Wednesday, March 27, 2019 6:47 PM
To: FINtestimony
Subject: Lexi's Law SB824

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Amanda Rigmaiden

Sent from my iPhone

FIN-Jo

From: Amanda Keasler <amandamkeasler@gmail.com>
Sent: Wednesday, March 27, 2019 6:44 PM
To: FINtestimony
Subject: Lexi's Law SB824

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Amanda Rigmaiden

Sent from my iPhone

FIN-Jo

From: Mick Clarke <mick60@gmail.com>
Sent: Wednesday, March 27, 2019 7:26 PM
To: FINtestimony
Subject: Hearing for SB824 Lexi Law

Dear Judiciary Committee,

I am writing to humbly request that the Financial Committee please approve SB824 Lexi's Law. Our good friends Danielle & Tim Jenkins tragically lost their beautiful daughter Lexi in a moped accident in Maui on August 15, 2017. Unfortunately, she was not wearing a helmet that may have hopefully saved her life.

I personally have been riding motorcycles for over 50 years now. I would never ever ride without a helmet and do not know why anyone would, especially considering their sole purpose is "to protect the rider's head during impact, thus preventing or reducing head injury and saving the rider's life" (Wikipedia).

Please hold a committee hearing and pass this very necessary law so as to protect the often innocent and unskilled General Public while on vacation in beautiful Hawaii.

Thank you very much.

Michael (aka Mick) Clarke

finance8 - Joy

From: Leah Totten <calilovelt@gmail.com>
Sent: Thursday, March 28, 2019 9:53 AM
To: FINtestimony
Subject: SB824

Of 23 fatal moped accidents in the last two years, 22 were not wearing a helmet. Please support SB824 and help to save lives!
Mahalo!

finance8 - Joy

From: mitchell totten <michtotten@gmail.com>
Sent: Thursday, March 28, 2019 9:41 AM
To: FINtestimony
Subject: I support SB824!

. I support SB824!

Sent from my iPhone

finance8 - Joy

From: Constantine Samios <jsamios1@icloud.com>
Sent: Thursday, March 28, 2019 7:22 AM
To: FINtestimony
Subject: I support SB824

I support SB824
Sent from my iPhone

finance8 - Joy

From: ashlie shaw <ashlieshaw48@gmail.com>
Sent: Thursday, March 28, 2019 7:20 AM
To: FINtestimony
Subject: SB824

I SUPPORT SB824!

Ashlie Shaw

finance8 - Joy

From: Taylor Stevens <taylor_stevens001@icloud.com>
Sent: Thursday, March 28, 2019 7:15 AM
To: FINtestimony
Subject: SB824

I SUPPORT SB824

Sent from my iPhone

From: Sandra M Auwelo <Sandra.Auwelo@kp.org>
Sent: Thursday, March 28, 2019 6:51 AM
To: FINtestimony
Subject: Lexi's Law SB824

Please support SB824

Having worked in the ER and for the trauma program since 2005, I have seen far too many unnecessary injuries and deaths due to motorcycles and mopeds, including close family and friends. Many of these could have been prevented had the operator worn a helmet. Tourists come here and rent mopeds without particularly being skilled in operating a moped and more so, without knowing our roads. I ardently support the requirement of helmets for moped riders, this can only save lives.

Sandra Auwelo, RN, BSN, TCRN

Trauma PI Specialist
Trauma Services

Maui Health System

Maui Memorial Medical Center
221 Mahalani Street
Wailuku, HI 96793

808-242-2674

Mauihealthsystem.org

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From: Ashley Warren <aewarren9@gmail.com>
Sent: Thursday, March 28, 2019 6:34 AM
To: FINtestimony
Subject: Lexis Law

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Ashley Warren

finance8 - Joy

From: ruby hill <rubyhill21@yahoo.com>
Sent: Thursday, March 28, 2019 6:03 AM
To: FINtestimony
Subject: Lexis law SB824

I support Lexi law because it's a proven fact that helmet save lives.

[Sent from Yahoo Mail for iPhone](#)

From: Boyd, Kaitlin <Kaitlin.Boyd@henryschein.com>
Sent: Thursday, March 28, 2019 6:00 AM
To: FINtestimony
Subject: FW: SB824

Hello,

I support Lexi's Law SB824. Please schedule a hearing for this.

It could save tourists and even locals lives.

When you're vacationing you're trying to have fun and you're not always directly thinking of what an outcome of, for example, not wearing a helmet could be. You see everyone not wearing helmets and you know there is no law so of course you think then it must be fine, right? That is not right in fact though, as many lives have been lost to this.

If a law is put in place it takes that false comfort of not wearing a helmet away. If people have to wear helmets it won't be a second thought everyone will put their helmets on go on a fun ride enjoy the beauty of Hawaii and the best part, lives will be saved.

Best Regards,

Kaitlin Boyd

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From: Kathie Northey <kathienorthey53@gmail.com>
Sent: Thursday, March 28, 2019 5:39 AM
To: FINtestimony
Subject: Lexi Law SB824

Dear Committee,

I am emailing in regards to Lexi's Law SB824.

Please do not let another young person and or any person die traumatically because there is no helmet law in this state.

PLEASE PLEASE pass this!

Lexi's Law 808.

Thank you so much for your consideration.

From: Mick Clarke <mick60@gmail.com>
Sent: Thursday, March 28, 2019 5:38 AM
To: FINtestimony
Subject: Hearing for SB824 Lexi Law

Dear Finance Committee,

I am writing to humbly request that the Financial Committee please approve SB824 Lexi's Law. Our good friends Danielle & Tim Jenkins tragically lost their beautiful daughter Lexi in a moped accident in Maui on August 15, 2017. Unfortunately, she was not wearing a helmet that may have hopefully saved her life.

I personally have been riding motorcycles for over 50 years now. I would never ever ride without a helmet and do not know why anyone would, especially considering their sole purpose is "to protect the rider's head during impact, thus preventing or reducing head injury and saving the rider's life" (Wikipedia).

Please hold a committee hearing and pass this very necessary law so as to protect the often innocent and unskilled General Public while on vacation in beautiful Hawaii.

Thank you very much.

Michael (aka Mick) Clarke

finance8 - Joy

From: Jessey Richards <jesseyrichards@yahoo.com>
Sent: Thursday, March 28, 2019 5:36 AM
To: FINtestimony
Subject: Lexis law SB824

I support Lexi's law SB824. A helmet is statistically proven to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.
Jessey Richards

finance8 - Joy

From: Oliver Friesen <olr.friesen@gmail.com>
Sent: Thursday, March 28, 2019 5:35 AM
To: FINtestimony
Subject: Lexi's Law SB824

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Oliver Liesel Rhett Friesen

From: Hill, Brittany <Brittany.Hill@henryschein.com>
Sent: Thursday, March 28, 2019 5:29 AM
To: FINtestimony
Subject: SB824

Hello,

I support Lexi's Law SB824. Please schedule a hearing for this. It could save lives for tourist all around that are just trying to have fun and not thinking of the consequences of not wearing a helmet.

Thanks

Brittany Hill
Credit Representative
Financial Operations | Reno, NV
Phone: 866-248-9656 Ext 2242985
Fax: 775-327-3282

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finance8 - Joy

From: keith menches <kmenches@hotmail.com>
Sent: Thursday, March 28, 2019 5:21 AM
To: FINtestimony
Subject: Lexi's Law SB824

100% in support of Lexi's law SB824.

Sent from my Verizon, Samsung Galaxy

From: Randall Simpson <mrrandallsimpson@gmail.com>
Sent: Thursday, March 28, 2019 5:13 AM
To: FINtestimony
Subject: Lexis Law / SB824

Hello my name is Randy Simpson and I am asking you to please support SB824 / Lexi's Law. As a motorcycle rider for over 40 years I have buried to many friends and even family from motorcycle & moped accidents that they might have survived from had they simply been wearing a helmet.

The 1st question most people ask when someone is involved in a motorcycle or a moped accident is "Were they wearing a helmet?"or..... "I sn't there some kind of helmet law there?"

That is what SB824 Lexi's Law is about...."Some kind of helmet law!" If you make an effort to protect the tourist, the young who are uninformed & the untrained, then we can certainly move the needle in a positive direction and save a few more lives. We can send a few more loved ones home to their families should they be in an unfortunate accident while in Hawaii.

Wearing a helmet was a habit ingrained in me from a very young age due to my parents insisting that I wear one. The outcome of that "Training & Education" was that even when I lived in states without a helmet law I still wore one. Even when it was not the "Cool Thing" to do when I rode in a crowd, I still did it out of habit because of what I learned at a younger age. I have had three major motorcycle accidents that I could not walk away from. But my mind is intact and I am still here all because I wore a helmet.

Please do the right thing for those who do not know better, for those who need a little protection, for those who one day may graduate to riding motorcycles and wear a helmet out of habit due to SB824 regardless of the law requiring it or not on a motorcycle.

The motorcycle groups have no reason to oppose SB824 because it does not apply to them. They carry a motorcycle license and should have the training or experience that these tourist and young moped riders do not have. So Please....Help them Help themselves.....they need your help.

Thank you in advance for your support of SB824!

God Bless
Randy Simpson
916-225-9191

finance8 - Joy

From: Pamela Dobson <pamela.dobson@sbcglobal.net>
Sent: Thursday, March 28, 2019 4:34 AM
To: FINtestimony
Subject: LEXI LAW SB 824

Hello

Please pass SB824.

Lexi life might have been saved if she was wearing a helmet.

If this law is passed its better odds if a visitor renting a motor bike involved in an accident leaves safe.

Kindest regards,
Pamela Dobson

[Sent from Yahoo Mail on Android](#)

From: bob walker <bobwalker494@yahoo.com>
Sent: Thursday, March 28, 2019 1:00 AM
To: FINtestimony
Subject: SB824 Law

Dear Rep Luke,

Please pass the SB 824 Helmut law into effect. Our cousins only daughter died while vacationing on your wonderful islands in 2017. Driving a moped without a helmet is just dangerous to the human body. If there is a mandatory law stating that people must wear helmets' it will save lives and drastically cut down on head injuries. Please see it in your wisdom to move this bill along for action. Our cousins are living thru their terrible loss daily.

Thank you for your time on this matter, Best regards, Robert F Walker Sent from my iPad

finance8 - Joy

From: Natasha Kehagias <natasha.kehagias@gmail.com>
Sent: Wednesday, March 27, 2019 9:26 PM
To: FINtestimony
Subject: SB824 Lexi's Law

I support Lexi's Law SB824. A helmet is proven statistically to save lives and prevent head injuries. I would like my loved ones to be protected when visiting the islands.

Thank you,
Natasha Kehagias

From: Linette Knuedler <lknuedler@sbcglobal.net>
Sent: Wednesday, March 27, 2019 7:39 PM
To: FINtestimony
Subject: Please Approve SB824 Lexi's Law

Dear Financial Committee members.

My dear friends Tim and Danielle Jenkins lost their one and only beautiful child Lexi to a very sad accident on Maui in August 2017. Lexi was riding a moped without a helmet, as many innocent tourists do while on vacation in beautiful Hawaii.

Why we would let anyone ride any type of motorcycle without a helmet, when they have been proven to help save peoples lives, I do not understand. Therefore, I hope that you and the Financial Committee will please approve SB824 Lexi's Law so as this very important and necessary law will be passed to protect the general public while they are visiting beautiful Hawaii.

God bless you and thank you very much.

Linette Knuedler

From: Mick Clarke <mick60@gmail.com>
Sent: Wednesday, March 27, 2019 7:26 PM
To: FINtestimony
Subject: Hearing for SB824 Lexi Law

Dear Judiciary Committee,

I am writing to humbly request that the Financial Committee please approve SB824 Lexi's Law. Our good friends Danielle & Tim Jenkins tragically lost their beautiful daughter Lexi in a moped accident in Maui on August 15, 2017. Unfortunately, she was not wearing a helmet that may have hopefully saved her life.

I personally have been riding motorcycles for over 50 years now. I would never ever ride without a helmet and do not know why anyone would, especially considering their sole purpose is "to protect the rider's head during impact, thus preventing or reducing head injury and saving the rider's life" (Wikipedia).

Please hold a committee hearing and pass this very necessary law so as to protect the often innocent and unskilled General Public while on vacation in beautiful Hawaii.

Thank you very much.

Michael (aka Mick) Clarke

finance8 - Joy

From: julierussell08@aol.com
Sent: Thursday, March 28, 2019 7:36 AM
To: FINtestimony

I SUPPORT SB824

finance8 - Joy

From: donna whiteacre <donnawhiteacre@yahoo.com>
Sent: Thursday, March 28, 2019 11:12 AM
To: FINtestimony
Subject: Lexi's law

Please pass Lexi's law SB824 it means a lot to our family.
Sent from my iPhone

From: Richard Crean <richardcrean@gmail.com>
Sent: Thursday, March 28, 2019 11:06 AM
To: FINtestimony
Subject: URGENT TESTIMONY : Lexi's Law SB824

Greetings,

My name is Richard Crean and this is my testimony in favor of passing Lexi's Law SB824.

1) Alexis Jenkins was my friend.

2) I have been a bicyclist since the age of 19. I am now 48 years old and since the age of 19, I have always worn a bicycle helmet.

3) I probably have ridden my bike over 8,000 miles in my lifetime. Wearing a simple bicycle helmet has indeed saved my life from what would have been a tragic incident. That's a fact I can swear on a million bibles about.

4) I'll guess that the average tourist who visits Hawaii, like my friend Alexis who was killed, does not normally even ride a bicycle. Yet, renting a scooter sounds like a fun and easily controllable thing to do on a vacation.

5) The fact of the matter is that bicycles, scooters, and motorcycles require a special skill set in order to steer properly. It's called "counter steering" and if you want your two-wheeled vehicle to move in a certain direction, you must "counter steer."

6) "Countersteering" is literally moving the two-wheeled moped, scooter, bicycle, or motorcycle in the opposite direction that you don't want to go in order to have the bike naturally point like a gyroscope in the direction that you do want it to go.

7) Yet, many people rent a scooter thinking it acts like a car; point and steer. This is far from the reality of the gyro-dynamics of how to properly control and steer a two-wheeled vehicle. Some people are naturals at doing it because they practiced for many years as kids on bikes. Yet, others may be prone to the same fate as Alexis Jenkins if they don't know how to at least ride a bicycle, let alone a motorized scooter.

8) If you don't pass this helmet law, you are signing the death warrant of others who will crash because they don't really know how to ride a bike, or have not ridden one since they were young. It looks like fun, they will rent scooters unsuspectingly, thinking it operates as a car and they will crash.

9) How much death and physical trauma could be avoided with a simple helmet law? I know for a fact that people's lives will be saved. It's the main reason why I wear a helmet when I go bicycling because even though my bicycling skill level is that of a professional, I know that accidents happen.

10) Thankfully I am not dead or a vegetable quadriplegic when my own accident happened. Had I not been wearing a helmet I would have smashed my head and caved my temple in on the hard-edged corner of a simple sidewalk.

11) I was so grateful that I always wear my helmet and I am writing this today so that other families may not have to endure the pain and tragedy that fell upon my friend Alexis Jenkins and her family.

12) Again, I know for a fact that helmets will save the lives of many tourists who just simply want to have a good time, but don't understand the forces that they are dealing with on a moped.

Please pass Lexi's Law SB824 into law. The lives you save may be those of your own extended family some day.

Thank you,

Richard Crean

212-444-2226 My cell

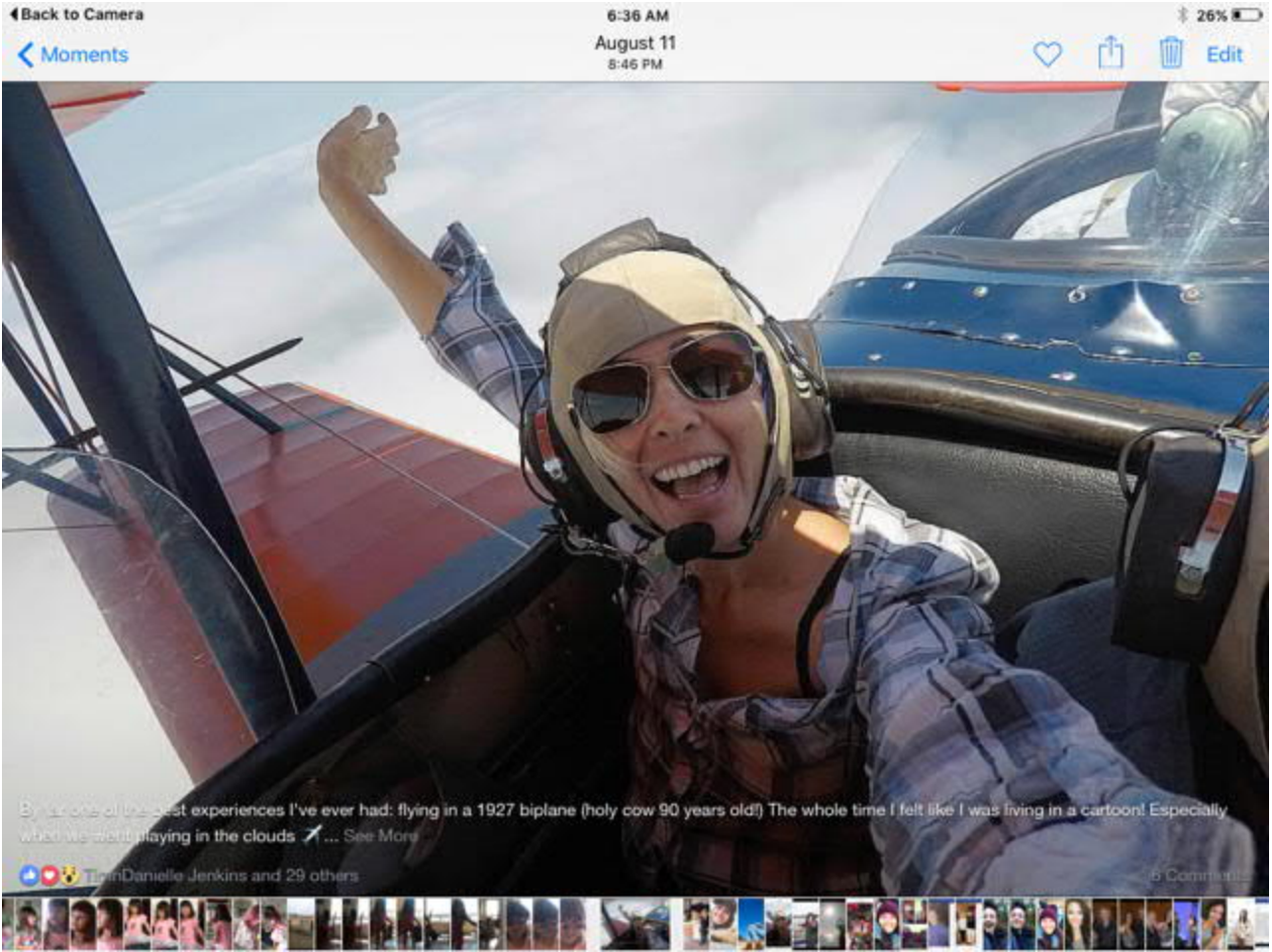
FIN-Jo

From: Amber Jean <amberjean453@gmail.com>
Sent: Thursday, March 28, 2019 7:17 AM
To: FINtestimony

I SUPPORT SB824! Mahalo!

From: char retzlaff <charalice4445@yahoo.com>
Sent: Thursday, March 28, 2019 1:13 PM
To: FINtestimony
Subject: SB824





Please please please. Please support SB824Lexislaw 808. Please give help to others who might face the same tragedy as Lex have hope that the outcome will be different because Hawaii passed a law that anyone riding a moped or motor scooter is mandated to be wearing a helmet. Thank you so much for listening to the grief And the hope of Lexi's loving grandmother

Regards,
Charlotte Retzlaff

Sent from my iPhone

finance8 - Joy

From: Charron <neterbetter@sbcglobal.net>
Sent: Thursday, March 28, 2019 1:16 PM
To: FINtestimony
Subject: SB824

Please support Lexislaw SB824. Lexi. Our lives are not and will not ever be the same without our dear sweet Lexi in it. Because we do not believe she left this earth in vain, we ask you for this support so other grandparents may not have to go through what we have.

Respectfully,
Ron&Char Retzlaff

From: Ron Retzlaff <ron1rr@icloud.com>
Sent: Thursday, March 28, 2019 1:52 PM
To: FINtestimony
Subject: SB824

I ask in vain to please support legislaw808 so that my granddaughter may not have and to help others understand how important it is that a helmet law be mandatory and not optional when riding a moped or a motor scooter so that the results of an accident may be different than this . My sincere thanks in this journey of ours.

Lexi's Papa



Sent from my iPhone

From: Susan Mattal <momma.mattal@gmail.com>
Sent: Thursday, March 28, 2019 2:25 PM
To: FINtestimony
Subject: Lexi law SB-824 "2019" helmet law !!

Please pass this law !!!! anyone who rents any moped on the Islands should by law have to wear a helmet while operating a rental moped!!! Period it's just common sense!!! There have been many deaths over the last five years from folks who are on vacation and driving on the highways on the island and have died from not wearing a helmet !!! This needs to change ASAP ! We are homeowners on Maui and god forbid if one of our family members is vacationing and rents a moped and gets hit and killed !!! Think about your family members and many people that could be saved by this law !! Thank you , Michael & Susan Mattal Sent from my iPhone

finance1 - Sean

From: Shea Ratliff <shea_ratliff@yahoo.com>
Sent: Thursday, March 28, 2019 4:09 PM
To: FINtestimony
Subject: SB824

To Whom this may concern,

I Shea Ratliff support bill SB824 Lexis Law. I have been a resident to Maui for 10 years.

I grew up riding motorcycles and it will always be a passion of mine. I 100% support this helmet law because I believe that anyone who isn't trained in riding a two wheel vehicle should wear a helmet and protect themselves where they can. I like this bill because it allows any licensed rider to be exempt from having to wear a helmet if they wish.

Please pass this law and help save future lives.

Mahalo,
Shea

Sent from my iPhone

SB-824-HD-1

Submitted on: 3/28/2019 7:02:35 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Halona Siewell	Individual	Support	No

Comments:

I would like to voice my support for SB824. As someone who has lost several family members including my brother in a car accident, I know the pain, emptiness and confusion left in the wake of loss. It is irrefutable that helmets save lives, and if even one life is spared and one family is spared from the pain of losing a loved one, this law is worth passing. I ask you please to vote yes on SB 824.

Thank you!

LATE

SB-824-HD-1

Submitted on: 3/28/2019 8:43:12 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Oahu County Democrats	Support	No

Comments:

LATE

SB-824-HD-1

Submitted on: 3/28/2019 8:57:02 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
susan mattal	Individual	Support	No

Comments:

Please pass this bill ASAP !!! There is no excuse that these innocent people who are renting mopeds on the Islands are not protected & required to wear a helmet while operating a moped !!! This law needs to happen to save many lives while vacationing on the islands !! Please please ! Make the right choice !! Thank you Susan Mattal

LATE

From: Cheryl Kerrigan <withcheryl@icloud.com>
Sent: Friday, March 29, 2019 4:52 AM
To: FINtestimony
Subject: Lexi's Law SB824 Testimonial

Dear Sylvia Luke,

Thank you Sylvia for all you have achieved in getting Lexi's Law SB824 this far.

This law is so important to so many people, but especially to so many parents of young adult children, we reach a point where we can't tell our adult children what to do and how. At this point we can only hope they will continue to grow and become good people and follow set rules and laws. I feel this law will give many parents peace of mind knowing that their young adults visiting Hawaii and taking pleasure in all the fun activities Hawaii has to offer will be required to wear a helmet when operating motor scooters ect... those without motorcycle licenses.

The loss of Lexi has been huge in so many ways, many of us can't help but wonder if she had been required to wear a helmet, would we have her here with us still? Probably not in this case, but the opportunity to help so many others runs deep so others, especially loved ones can feel a bit more protected by Lexi's Law and hopefully never have to receive that most horrible phone call my Sister and Brother-in-Law had to receive. Please make this happen for all.

Thank You,
Sincerely,
Cheryl Kerrigan
530-409-7766
Withcheryl@gmail.com

SB-824-HD-1

Submitted on: 3/29/2019 12:07:58 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Palin	Individual	Oppose	No

Comments:

This bill has gone way too far and it is time for you folks to stop this nonsense.

Sure a helmet MIGHT prevent some injury in the event of an accident, but one could argue helmets and the restriction on ones' peripheral vision may actually be the cause of an accident.

The real issue is that people who are here on vacation without a care in the world are allowed to get on these things. Riding a moped sounds like fun. They've never ridden one but hey, lets' give it a try, after all isn't that what vacations are all about, new and different experiences? So now you have people riding around, mixing in with drivers who are frustrated at the constant traffic jams and all of a sudden there is a moped in front of and now under your car. Tragic, but preventable if you law makers look at the preventing injury rather than HOPING this might limiting some injuries.

Adding to this, you now will have police see a moped rider without a helmet. Do they pull them over to see if they have a motorcycle license? Are they now going to profile riders? Looks like a tourist so maybe we should pull them over as the look like they don't have a license? I am Caucasian. If I were pulled over my first reaction would be racial profiling!

And then of course you have the bigger issue of personal freedom and personal choice and does this step lead to limiting my rights as a licensed, 46 year experience rider to choose if I wear a helmet or not?

LATE

SB-824-HD-1

Submitted on: 3/29/2019 12:08:59 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Raikes	Street Bikers United	Oppose	No

Comments:

Stongly OPPOSED!!!



Street Bikers United Hawaii (SBU) Submissions

March 29, 2019

Presenter: Bruce Paige, SBU State Director
Residence: Pearl City
Email: bpaigeco@gmail.com

LATE

Bill SB No. **SB824 SD1 HD1** – RELATING TO RENTALS OF
MOPEDS AND MOTOR SCOOTERS.

House Finance Committee: Friday March 29, 2019 at 3:30 PM Room 308

Bill Introducers: BAKER, FEVELLA

Report Title: Mopeds; Motor Scooters; Lexi's Law; Aftermarket Motor Modification; Rental Companies; Helmet Requirements; Violation

Description(s):

Bill SB824 SD1 HD1: Prohibits operating a moped or motor scooter from any rental company unless the person wears a safety helmet that the rental company is required to provide or the person wears a safety helmet that is provided by the person; provided that this requirement does not apply to any person who possesses a valid license from any state to operate a motorcycle. Prohibits the rental of any moped or motor scooter with an aftermarket modification to its motor. (SD1)

Executive Summary

SBU Recommends That Its Members Oppose Bill SB824 SD1 HD1 On Four Fundamental Grounds:

- (1) **Moped and Motor Scooter Rental Repair Businesses Already Offer Helmets to All Customers and Recommend they Use Them, Once The Customer Rides Away from the Rental Location it is Impossible for the Rental Business Operator or The HPD to Enforce the Renter to Use the Helmet or Even Know if they are in Violation of the Proposed Helmet Legislation, Which is Why SBU Suggests and Alternative Approach Under Its Recommendations For Integrated Comprehensive Safety Law Approach based on the MSTP for all New Licensees.**
- (2) **Mandatory Helmet Law Already Exist for Moped, Motor Scooter and Motorcycle Riders Under Eighteen (18) Years of Age;**

- (3) The Freedom of Choice for Adult Moped and Motor Scooter Riders is the same as for Motorcyclists. Their Selection of Riding Apparel and Helmets is a Constitutional Privacy Right pursuant to their Privacy rights to life, liberty and the pursuant of Happiness, Rights to Equal Protection and Due Process;
- (4) The Goal of Reducing “All Injuries” including Serious Injuries (Head and Brian Injuries) and Fatalities to Moped, Motor Scooter and Motorcycle Riders Is More Reasonably Achieved with “Responsible” “Comprehensive” and “Integrated” Policy Instead of a “Narrowly Focused” Mandatory Helmet Laws” or Arbitrary Hemet Laws like SB824,SD1,HD1. SBU’s recommendations are fair, equitable and apply to all new untrained and inexperienced Riders equally applies to all “New Riders” and unlicensed Riders regardless of whether they are seeking a new license to ride a Moped, Motor Scooter or Motor Cycle in Hawaii; including those renting Motorcycles, Motor Scooters and Mopeds.

SBU Submissions – SB824,SD1,HD1

SBU Recommends That Its Members Oppose Bill SB824,SD1,HD1 On Three Fundamental Grounds:

Ground I- SB824,SD1,HD1 Is Unenforceable And It Intention to Ensure Rental Business Owners Provide Helmets to All Moped and Scooter Renters Is Already Being Done.

- I. Moped and Motor Scooter Rental Repair Businesses Already Offer Helmets to All Customers and Recommend they Use Them, Once The Customer Rides Away from the Rental Location it is Impossible for the Rental Business Operator or The HPD to Enforce the Renter to Use the Helmet or Even Know if they are in Violation of the Proposed Helmet Legislation, Which is Why SBU Suggests and Alternative Approach Under Its Recommendations For Integrated Comprehensive Safety Law Approach based on the MSTP for all New Licensees.

Ground II-Mandatory Helmet Law Already Exists for the Most Vulnerable (Persons Under 18) Who Might Not Have the Training or Capacity to Make Informed Decisions.

- II. Bill SB824,SD1,HD1 seeks to apply Mandatory Helmet requirements to Persons (of all ages) who rent or lease a Moped or Motor Scooter. The proposed legislation however laudable, is fraught with enforceability problems which are described briefly below.
 - (i) First there is already mandatory enforceable legislation to requiring minors (under 18 years of age) wearing Helmets (Mopeds, Motorcycles and Motor Scooters, which come within the definition of Motorcycles and must have a Class 2 Motorcycle license to operate their Motor Scooter) are already required to wear a Helmet in Hawaii, both rental and non-rental Motor Scooters, Mopeds and Motorcycles.
 - (ii) So this legislation is aimed at adults, who choose to rent Mopeds and Motor Scooters (but do not have a valid Hawaii Motorcycle License or the equivalent from another state.) That means even Tourist from other countries with valid Motorcycle Licenses are not exempt, although it is difficult

to know how this legislation is going to be enforced anyway. HPD cannot tell if a rider renting a Moped or Motor Scooter is from another State or another country, or has or does not have a valid Motorcycle License, without looking at their license, when they are riding up the road with or without a Helmet on. So it is only after the Rider is stopped for an infraction or involved in an accident that HPD can enforce this law. Similarly, even if it is enforced by the Rental Companies, the minute the renter leaves the rental company premises, they can simply remove the Helmet and the legislation is circumvented, because there is no way for HPD to enforce the rental riders use the Helmets until it is too late as already stated.

Ground III-Adults Have The Constitutional Right to Enforce Their Freedom Of Choice-Legislators Should Respect Adults Rights to Exercise their Freedom of Choice Even If Legislators Don't Agree With Those Choices

III. Bill SB824,SD1,HD1 seeks to apply Mandatory Helmet requirements to Adults (over age 18 years) who rent or lease a Moped or Motor Scooter. This legislation clearly violates Adult Citizens Constitutional Privacy Rights (Preamble United State Constitution (USC); US Declaration of Independence “Life, Liberty and the Pursuit of Happiness”) and Hawaii State Constitution (HSC which by its preamble incorporates the USC) also HSC BOR §.1.2 Rights of Individuals adopts the express language of USDI “Life, Liberty and the Pursuit of Happiness”), also express protection of privacy rights unlike the USC, which generally recognizes them (HSC BOR § 1.6 Privacy Right) and arguably their Equality Rights (5th & 14th Amendment USC; Due Process and Equal Protection of Laws) again expressly recognized in the HSC (at HSC BOR § 1.5 Due Process and Equality Rights). SBU submits those rights should be respected, these issues are briefly outlined below.

(i) Second, this proposed Bill attempts to discriminate between persons who do not own a valid Motorcycle License (or equivalent valid license from another state) and those that do by exempting those that own a valid Motorcycle License or equivalent from being required to wear a Helmet, which is wrong on two Constitutional grounds: (i) Motor Scooter is defined as a Motorcycle under HRS §286-2 Definitions and requires an operator to have a valid Category (2) drivers’ license already, so the rental company is already obligated by law to rent the Motor Scooter to someone with a valid Category (2) (Motorcycle/Motor Scooter) drivers’ license (or equivalent valid license from another state and jurisdiction) already.

(ii) It is denying Adult Moped Class #1 licensees, and Adults with an Driver’s License Class other than Class #2), the same Constitutional Privacy Right to choose not to wear a Helmet. It is treating Class (2) Licensees differently from all other Driver’s license classes in Hawaii, in breach of their Constitutional Right to Equal Treatment before the Laws. There is no (a) “Rational Basis”; (b) “Substantially Important Government Purpose” or (c) “Necessary and Compelling actual Government Purpose”; the three levels of scrutiny use to test government laws that infringe on constitutional rights, which justifies discriminating between adult operators of Mopeds and Motor Scooters from Motorcycles alone. Unless both years of experience full time riding and level of training experience are taken into consideration. Then there is a Rational Basis for the discrimination because statistics show riders with 2-4 years full time riding experience and those riders that take Motorcycle/Motor Scooter/Moped Safety Training Courses (“MSTCs”) have significantly lower rates of accidents than non-experience or untrained riders (between 75% for MSTCs and as high as 95% for Trained Riders with 2 years’ experience or Riders with over 4 years full time riding Experience). Therefore, this form of discrimination built into the law is not justified, cannot be established as either “substantially Important” or “Necessary” to the government purpose of

reducing accidents or head injuries that result from such accident, and SBU says it is therefore unconstitutional.

(iii) It is denying those adults who may have the equivalent to a Hawaii Class (2) license, but are not from another state, (i.e. foreign visitors) differently that those with Motorcycle licenses from other states. This seems unjustified under the same three levels of Constitutional Review Criteria described under (ii)(a)-(c) above. There is no reason to believe foreign Motorcycle Licensees with equivalent to Category (2) Hawaiian Motorcycle/Motor Scooter Licensees are any more prone to have accidents or suffer brain or head injuries than out of state Motorcycle Licensees with equivalent to Category (2) Hawaiian Motorcycle/Motor Scooter Licensees. This Bill seems to discriminate between a person from another state with an equivalent license to a Class (2) Hawaii Motorcycle License and someone with an equivalent license to a Class (2) Hawaii Motorcycle License from another Country. This form of discrimination built into the law is not “Rationally Justified”, and cannot be established as either “substantially Important” or “Necessary” to the government purpose of reducing accidents or head injuries that result from such accident, and SBU says it is therefore unconstitutional.

(iv) SBU submits that if the “Important Government Purpose” is saving Adults Renters Mopeds and Motor Scooters from becoming involved in accidents that cause loss of lives and brain or head injuries, due to not wearing helmets, then the only constitutional way to achieve that is to treat all renters of Mopeds and Motor Scooters equally, unless they Government can justify discrimination against certain subgroups of Adult Riders. Since all riders under 18 years must already wear Helmets, no discrimination is present there. SBU submits that owning a Motorcycle License alone does not make Adult Riders less likely to be involved in Accidents and suffer head injuries, brain injuries and fatalities than persons who are licensed to operate Mopeds or Motor Scooters from Hawaii or those without the equivalent to a Hawaii Category (2) Motorcycle/Motor Scooter License from other states or abroad. SBU says everyone who is involved in accidents that result in trauma to the body or the head have the same likelihood of head and brain, injuries or death, if they do not wear a Helmet. This form of discrimination based on the then nature of the riders license alone that is built into the law is not “Rationally Justified”, and cannot be established as either “substantially Important” or “Necessary” to the government purpose of reducing accidents or head injuries that result from such accident, and SBU says it is therefore unconstitutional.

(v) SBU says that it is only when the legislation recognizes “clear and compelling” differences between subgroups that demonstrate that the discrimination against certain subgroups (i.e. all renters of Mopeds and Motor Scooter who do not have a Category (2) Motorcycle/Motor Scooter Licensees or out-of-state Renters with equivalent licenses), by forcing them by law to wear Helmets while allowing other subgroups (i.e.) to ride without wearing Helmets. SBU says that this type of discrimination cannot be justified by differences in licenses alone, but it can be demonstrably justified where there are statistically significant differences between classes of Riders with (A) very low rates of accidents and therefore negligible likelihood of sustaining a head injury regardless of whether they do or do not wear a Helmet; compared to (B) Riders with very high likelihood of being involved in accidents and therefore having a very high likelihood of sustaining injuries to their heads, brains and fatalities, which can be reduced by the use of Helmets. That form of discrimination is valid and constitutional, because there is a “Rational Basis”, the law seeks to require Helmets on very high risk Riders as an “Important Government Purpose” (i.e. reducing the risk of head, brain and fatal injuries, but it is accomplished in the least restrictive manner by only targeting those high

risk subgroups of Riders, whose risk of sustaining a head, brain or fatal injury will be materially reduced by infringing on their constitutional rights to Privacy, Equal Treatment and Due Process by forcing them to wear Helmets when they rent Mopeds and Motor Scooters.

(vi) SBU says this proposed Bill SB824,SD1,HD1, is not “narrowly focused in its infringement of renters so it does not meet the Strict Scrutiny test (2)(c) above. It is not clear that it meets the Important Government Purpose, because it allows all riders with Category (2) Motorcycle/Motor Scooter Licensees or out-of-state Renters with equivalent licenses to avoid wearing Helmets, even if they are in the in experience and untrained class or Riders and therefore at high risk of being involved in an accident and therefore vulnerable to at least some kinds of “low Speed Single Vehicle Accidents” that Helmets are very effective at reducing head, brain and fatal injuries. In fact there could be very experience and trained Moped and Motor Scooter Riders from out-of-state that might be at very low risk of being in an accident and therefore there is no tangible or material benefit to forcing them as Adult Riders to wear a Helmet merely for the Important Government Purpose of preventing head, brain and fatal injuries to Moped and Motor Scooter Renters, since the risks of such well trained and experiences out-of-state Moped and Motor Scooter Licensees is extremely remote. The Intermediate Scrutiny Test is therefore not met by this Bill because it does nit effectively or at all, achieve the Important Government purpose of reducing head, brain and fatal injuries in the targeted Adult Rider population discriminated against to achieve that purpose.

(vii) Finally, for the reasons set out in II (i)(vi) above, if the rational basis for discriminating against Adult Renters of Mopeds and Motor Scooter who do have a Category (2) Motorcycle/Motor Scooter Licensees or do not have equivalent to a Hawaii Category (2) Motorcycle/Motor Scooter License from other states, is to prevent head injuries, brain injuries and fatalities in that population of Riders while ignoring it is ineffective in achieving that purpose by not focusing on the riders in that target population that actually have the higher or highest likely hood of being involved in accidents causing head, brain and fatal injuries, then the basis for the Bills discrimination against those affected Renters of Mopeds and Motor Scooters is not a “Rational Basis” and therefore fails the third and lowest level of Scrutiny as well [see II (ii)(a) above].

(viii) SBU submits this Bill SB824,SD1,HD1 proposes legislation which is not only arbitrary and ineffective in achieving its stated purpose, but it is also invalid and unconstitutional as contrary to the protections guaranteed by both the United States Constitution (“USC”) and also the Hawaii State Constitution (“HSC”).

Ground IV-If Legislators Want to See Significant, Meaningful and Constitutional Change Then They Should Seriously Consider SBU’s Comprehensive, Integrated Policy Approach to Motorcycle, Motor Scooter and Moped Safety Policies Based On Mandatory Motorcycle Motor Scooter and Moped Training Course Program (“MSTP”) as a Core Requirement for the New Licensees, And Incentives For Other Riders to Take Advanced MSTP Courses as well

IV. SBU submits that since Motor Scooter is included in the Definition of Motorcycle. Therefore, this bill is an attempt to legislate safety helmets (“Helmets”) be use by categories of Motorcycles, but attempts to exclude the word “Motorcycle” as an ambiguous and arbitrary definition that includes a subclass of Motorcycle Operators, (i.e. Motor Scooter Operators) as required to wear Helmets if they do not have a Hawaii Category (2) Motorcycle/Motor Scooter license, or equivalent from othe states, while other Motorcycle Operators are excluded, which is a breach of the Privacy Rights,

Equality and Due Process Rights under the USC and the Corresponding Hawaii Constitutional Rights.

(i) The only valid and logical basis for not insisting on a Helmet for a renter, if the priority is the safety of that renter and their potential passenger is to require they have completed at least the MSTC-**“Beginner Moped, Motor Scooter and Motorcycle Rider Safety Training Course: Riding and Street Skills”** (or proof of completion of the equivalent course from another jurisdiction) and then obviously that potential renter or lessee should have either a valid specialized Moped License such as the Hawaii Category (1) Moped License or a Specialized Motorcycle License like the Hawaii Category (2) Motorcycle/Motor Scooter License (or the equivalent valid license from another jurisdiction). It is the combination of a specialized license and the MSTC or more advanced motorcycle safety training course (“AMSTC”) that makes the person a “safe” and skilled Rider. Otherwise, it takes at least 2 to 4 years of full-time riding to gain the technical skills that are taught in a MSTC, which gives course graduates high levels of technical expertise that compensates for a lack of safe operational skills, collision avoidance expertise, and technical knowledge gained by that two to four years of “street experience”. This can reduce a Riders likelihood of becoming involved in an Accident by 75%. Experience riders with at least one MSTC or AMSTC (or riders with over 4 years full time riding experience) have a very low likelihood of being in an accident, as much as 95% lower than a new rider without a MSTC history according to some studies.¹

(ii) It is a well-known incidental consequence of Riders taking the MSTC that they have much higher rates over 65% of full-time helmet use than those who do not take the course, for a variety of reasons. (The reasons are beyond the scope of these Submissions)

(iii) For all the forgoing reasons SBU respectfully submits that Alexis “Lexi” Jenkins’ tragic death might not have been avoided when she lost control of the rented Moped and collided with a truck, even if she was wearing a helmet, since a helmet does not guarantee the rider’s survival from either head, neck and certainly not other bodily injuries (but it does lessen the likelihood of TBI in low speed single vehicle accident definitely).

(iv) The preamble to Bill SB824,SD1,HD1 claims that the Hawaii Injury Prevention Plan for 2012-2017 (“HIPP”), without ever disclosing the basis of those statistics , which is offensive to the full and fair discussion that ought reasonably to surround any decision of the Legislature to abrogate its citizens constitutional rights. However, more importantly SBU submits the HIPP study results are being used in a misleading and manipulative manner to overstate the benefits of this Bill SB824,SD1,HD1, when it claims that **“In the event of a crash, helmets reduce the risk of death by 42% and the risk of a head injury by sixty-nine per cent.”** In particular: there are a number of statistics and studies that suggest that although DOT Safety Helmets (“Helmets”) unquestionably provide users with benefits and protections they are no where close to the “wildly exaggerated protection” suggested in the preamble. To set the record straight SBU cites well know and verifiable

¹ Hurt Report pages 250-53. *“The trained motorcycle riders (although they are scarce) showed very high rates of helmet use and the comparison with untrained riders was very significant”*. Table 9.3.18 indicated 68.3% Riders with formal MTPs training were helmeted although they were only involved in 5.1% of the accidents and motorcyclists trained by professionals (e.g. AMSTC) had only a 2.5% likelihood of being involved in an accident.

studies based on large numbers which have been compiled using scientific methodology which does not appear to have been the case with the HIPP.

- The Hurt Report is the best known and most extensive motorcycle study ever conducted². Hurt page 242 Table 9.3.2 OSID 900 accidents involving motorcycles found 60.2% of operators and page 243 Table 9.3.4 (OSIDs) 84.1% of passengers (when involved) did not wear Helmets. Similarly, in the 3600 TARs motorcycle accidents studied page 242 Table 9.3.3. 58% of operators did not wear Helmets and page 243 Table 9.3.4 80.3% of passengers did not wear Helmets. At page 193 of the 900 accidents investigated 56% had no head or neck injuries despite over 60 % were not wearing Helmets. Moreover, either no injury, mild or moderate injury head and brain injuries occurred in 91.4% of the accidents.³ Over 90% of the head injuries were determined to be either non-existent or in the lower range between mild and moderate, despite the fact that 60% of the motorcyclists were not wearing Helmets. At page 281 Table 9.9.2 of the 900 OSIDs investigated 13/900 = 1.4 % of those Motorcyclists wearing Helmets had some form of head trauma or brain injury and 123/900 = 13.6% of those not wearing Helmets suffered head trauma or some form of brain injury. At page 230 Table 9.1.1 of the 900 (OSIDs) investigated only 1% of Helmeted motorcyclists died and 2.3% of non-Helmeted motorcyclists died. The amount of “Severe, serious and critical” head trauma and brain injuries is 8.7% for Helmeted motorcyclists and 12.5% for non-helmeted motorcyclists. These well documented statistics are a far cry from the HIPP statement which is suggesting that in the event of a crash a helmet will reduce the risk of death by 42% and a head injury by 69%. In truth the number of fatalities and moderate to severe head injuries is very small in motorcycle accidents. What the HIPP study is actually suggesting is that among those motorcyclists fatally injured or suffering head trauma or brain injuries in an accident those quoted numbers can reduce the likelihood of death or the severity of a motorcyclists head trauma or traumatic brain injury. That is a very different thing than what the preamble to Bill SB824,SD1,HD1 seems to be suggesting. Even Bill SB824,SD1,HD1 claimed percentages for reduction of death and traumatic head or brain injuries appear exaggerated and are inconsistent with other well-known and verifiable studies. As we shall discuss below.
- Furthermore, at Hurt page 282 Table 9.10.1 of the OSIDs 900 accidents there were 663 operators who sustained some level of traumatic head or brain injury only 0.7% of those Helmeted were fatally injured, and only 2.0% of non-helmeted operators were fatally injured. At Hurt page 283 Table 9.10.2 even though the passengers had a statistically lower rate of Helmet use than operators, there were no fatalities in the OSIDs 900 accidents investigated. SBU quoted these statistics to show that although any fatality or severe head trauma or traumatic brain injury in an accident misrepresenting the facts by manipulating statistics is misleading and not constructive to finding viable solutions. As an example if 50,000 Moped, Motor Scooter and Motorcycle users are forced to wear helmets when only a handful of riders are fatally injured each year,

² Hurt Report January 1981, Studied total of 900 On Site In-depth Investigations (“OSIDs”), 3600 Traffic Accident Reports (“TARs”). Between July 1975 to September 1980 Authors H.H. Hurt, J.V. Quellet, and D.R. Thorn. Funded by the USDOT National Highway and Traffic Administration (NHTSA). Involved 900 on scene in-depth investigations (OSIDs) of motorcycle accidents and 3,600 motorcycle accident reports prepared by California police officers all in the Los Angeles area between July 1975 and September 1980.

³ Hurt Study Op Cit FN 2, uses a range for injuries from (a) no injury; (b) mild; (c) moderate; (d) severe; (e) serious; (f) critical and (g) fatal. This range is used for all forms of bodily injury and head injuries including traumatic brain injuries.

especially when there are an overwhelming number of negligible, minor or moderate bodily injuries, and mild to moderate head trauma and brain injuries that can be prevented entirely using much more effective methods of accident avoidance and prevention, then Helmet laws like Bill SB824,SD1,HD1 become a misallocation of resources. They do not solve the problems, but they infringe upon and abrogated the constitutional rights as a social cost to large numbers of citizens who enjoy their Privacy Rights to Choose whether to wear a helmet while riding a Moped, Motor Scooter and Motorcycle, with no material benefit to society for that social cost.

- Hurt page 351 Table 10.17.1 shows that of the 2,300 TARs motorcycle accidents studied, operators with a MCTCs were involved in only 5.4% of the accidents and that drops to 2.5% with an AMSTC (see FN 1 above). By contrast operators with less than 6 months have a 54.6 % likelihood of becoming involved in an accident, when they have less than 12 months full time riding experience it is up to 69.7 %. Between 1-2 years riders have a 12.4% probability of being involved in accidents. Over 4 years' full time riding experience it drops to 3.2% chance of becoming involved in accidents according to Hurt at page 129, Table 7.9.4.
- Although, it has been over 35 years since the hurt Report the only other study even close to the sample size and comprehensiveness of Hurt is the "MAIDS" Study⁴ which essentially updates Hurt, but is not as reflective of Hawaii's circumstances as the Hurt Report, because unlike Hawaii and California (during 1975-1980) when there was no mandatory Helmet law for adult riders, the European countries that are studied by MAIDS are all universal mandatory helmet law jurisdictions. Nevertheless, MAIDS does reinforce Hurt's findings and conclusions: (a) at page 85-88 riders with less than 6 months full time riding experience have very high accident rates by comparison with riders that have years of full-time riding experience or riders that have taken formal MSTCs; (b) at pages 89-90, inexperienced rider are more likely to become involved in accidents due to poor collision avoidance skills (c) at pages 119-120, data indicated that the severity of injuries increased with speed, however serious, critical and maximum injuries (fatalities) can occur at speeds less than 30 km/hr. (or 20 m.p.h.); and (d) at page 120-124, Helmets are effective in reducing the severity of head trauma and brain injuries at speed up to and even exceeding 61 km/hr. (40 m.p.h.).
- Hawaii's situation is not extraordinary, there is no crisis or significant upswing in loss of life and bodily or brain injury to Moped, Motor Scooter and Motorcycle users, owners, including renters. The NHTSA 2016 Report confirms that there are only 18 States with universal Helmet Laws, there are three (3) state with no form helmet laws at all, but the vast majority like Hawaii have modified helmet laws that have limited application, usually to persons under the legal age. ⁵ It contradicts the HIPP study by stating that proper DOT compliant Helmets can reduce fatalities by as much as 37%, which is a full 13.5% less than the HIPP study, which is statistically significant. The NHTSA 2016 Report claims that in 2016 a full 58% of Helmeted motorcyclists

⁴ MAIDS (Motorcycle Accident In-Depth Study), the study looked at 921 Powered Two-Wheeler (PTW) crashes during 1999 and 2000 in France, Germany, Italy, Netherlands and Spain. The teams gathering the data reconstructed each crash, interviewed witnesses, inspected the involved vehicles, and, when permitted, examined the medical records of injured riders and passengers to identify all the factors that contributed to the crash and its outcome.

⁵ National Highway Transportation Safety Association ("NHTSA") 1200 New Jersey Ave., S.E. Washington, D.C. 20590, 2016 report published in February 2018.

died in accidents while only 40% of non-helmeted motorcyclists died. That is 31% less fatalities for non-helmeted riders than Helmeted riders, which is statistically significant. The NHTSA 2016 Report also states that Hawaii had 9 deaths of Helmeted riders (38%) and 15 non-helmeted Riders (63%), which is statistically significant and completely contrary to the national statistics. SBU submits it is not because Helmets do not offer protection to those Riders who use them, they do especially in lower speed accidents under 30 m.p.h. Instead, SBU submits that Hawaii has fallen behind other states that recognize the importance of an integrated policy framework that focuses on Moped, Motor Scooter and Motorcycle Safety Training Courses (many through the Motorcycle Safety Foundation), mandatorily incorporated into their licensing programs. MSFCs can and are reducing the incidence of Moped, Motor Scooter and Motorcycle accidents throughout the USA and in many European Countries.⁶ Oregon and Maine are examples of a mandatory MSTCs integrated in the state licensing program, but there are 19 states in total that utilize the MSTCs to one degree or another as part of their licensing for Moped, Motor Scooter and Motorcycle Safety Training and licensing.⁷

- Hawaii's law makers have been presented with these MSTCs and incentivized legislation for recommendations by SBU for the last five (5) years, but have been slow to respond instead clinging to the "old paradigm" of try an put a helmet on the rider and "hope for the best", but that is not good enough anymore, when we know that training riders to avoid accidents is safer than trying to defend them with a helmet when they are confronting a two ton vehicle traveling toward them at a closing speed of 40-60 m.p.h. just on a normal city street, let alone twice that speed on main roads and highways.

Summary and Conclusions

For all the forgoing reasons SBU respectfully submits that Alexis "Lexi" Jenkins' tragic death might not have been avoided when she lost control of her Moped and collided with a truck, even if she was wearing a helmet, since a helmet does not guarantee the rider's survival from either head, neck and certainly not other bodily injuries (but it does lessen the likelihood of traumatic head and brain injuries especially in lower speed single vehicle accident). However, if Lexi had completed a MSTC-"**Beginner Moped and Motorcycle Rider Course: Riding and Street Skills**" (or the or equivalent as a component of a mandatory valid licensing program from one of the other states or countries that require it as part of their Moped, Motor Scooter and Motorcycle Safety Training Courses, her chances would have been over 75% of being able to avoid the accident entirely. Since studies show the likelihood of a MSTC graduate even being in an accident is 75% less than a non-graduate with little or no prior Moped, Motor Scooter and Motorcycle Operating experience. Moreover, as a graduate of a MSTC Lexi would have had a much higher probability of choosing to wear a helmet as well(around 65% more likely).

SBU recommends Lexi's law should be revised to follow the principles of SBU's Comprehensive, Integrated Motorcycle/Motor Scooter/Moped Licensing, Insurance and Safety Training Initiative outlined below as a viable alternative to this unconstitutional Bill SB824,SD1,HD1. Of course SBU recommends it applies equally for Motorcycles, Motor Scooters and Mopeds, which means all rentals in Hawaii would have to require the renter or lessee of Motorcycles, Motor Scooters and Mopeds be properly educated,

⁶ Effectiveness of Motorcycle Training, and Licensing, Allison Daniello, Hampton C. Gabler, and Yusuf A. Mehta at page 206. (at <https://www.sbes.vt.edu/gabler/publications/TRR-Daniello-2140-2009.pdf>)

⁷ Ibid F.N. 6, page 206.

trained and licensed with a mandatory **Beginner Moped and Motorcycle Rider Course: Riding and Street Skills** (or the or the equivalent course from another jurisdiction) to qualify to rent or lease Motorcycles, Motor Scooters and Mopeds in Hawaii.

We understand that the rental industry will oppose the SBU Initiative as it will initially reduce rentals, but: (a) it will save lives and injuries to those Riders that they to rent Motorcycles, Motor Scooters and Mopeds to; (b) it make the roads safer for everyone; and (c) if they advertise that requirement they will attract renters who already qualify and therefore will have safer motorcycling, motor scooting or mopeding vacation/experience when they come to Hawaii, because they are far less likely to go home injured or worse still become another unnecessary tragedy like Lexi.

SBU Recommendations for Bills SB824,SD1,HD1

(A) The Mandatory Motorcycle/Moped Safety Training Course (“MSTC) should become a core requirement for qualification of either a Category #1 (Moped License) or a Category #2 (Motorcycle License)

(B) All persons, businesses or enterprises shall ensure that the renter or lessee of a Motorcycles, Motor Scooters and Mopeds be properly educated, trained and licensed with a mandatory **Beginner Moped and Motorcycle Rider Course: Riding and Street Skills** (or the equivalent course from another jurisdiction) to qualify to rent or lease Motorcycles, Motor Scooters and Mopeds in Hawaii.

(C) The vast majority of existing licensed Adult Riders Licensees (over 18 years of age) could be “grandfathered into to the mandatory license requirements” with virtually no adverse impact injury and fatality trends, because Motor Scooter and Motorcycle Riders with over 2-4 years riding experience have a much lower probability of being involved in a collision than the beginner Riders (Motorcycle, Motor Scooter or Moped Riders) and that must be where the focus is placed to save lives and injuries to novice Riders and their passengers. Everyone can benefit from taking some level of formal motorcycle training, but the greatest gains are for **Beginner Moped and Motorcycle Rider Course: Riding and Street Skills** for the new rider taking their Category (1) or Category (2) license as novices regardless of age.

(D) At present in Hawai’i the law requires Motorcycle Insurance carriers grant owners of Motorcycle Insurance policies a discount of fifteen (15%) percent for Riders who complete a Motorcycle Safety Education Course (i.e. the “Motorcycle Education Course Insurance Premium Deduction” or the “MECIP Deduction” for short). That is not done for Moped Operators, because there has never been mandatory insurance for Moped operators (which have traditionally been treated as bicycles), that should change and Mopeds need to be insured just like all other motorized vehicles operated on Hawaii roads. Also, it is not mandatory for a Moped operator to obtain a Category (1) license, which would have to change as well to incorporate the MSTC as a mandatory requirement to operate a Moped in Hawaii. The MSTC should be required (albeit with appropriate modifications for the difference between Motorcycles, Motor Scooters and Mopeds). Then the MSTCs for both those categories Category #1 licensees. The Category (2) Motorcycle novice licensees must take the mandatory MSTC as well, which should then entitled them operate a Motorcycle (including a Motor Scooter) as well as a Moped; but a Category (1) licensee should be the minimum license requirement to be entitled to operate a Moped.

(E) If the MSEC-“Beginner Motorcycle Rider Course: Riding and Street Skills” was made mandatory for new licensees, the same incentive would not be necessary for Mopeds or Motorcycles (including Motor

Scooters), since the course would be mandatory. Instead the MECIP Deduction could be used to incentivize existing Riders to take an Advanced Motorcycle Safety Training Course (“AMSTC”), which would further enhance their motorcycle skills generally and especially “collision avoidance skills”. The MECIP would then be granted only if Motorcycle and Moped Riders take an Advanced MSTC. This point may be more applicable to Motorcycles than Mopeds, but advanced skills courses for Mopeds may be of interest and become popular as more people ride Mopeds.

(F) The very same type of incentives legislated to incentivize Hawai’i Motorcycle Riders to take the MSEC--“Beginner Motorcycle Rider Course: Riding and Street Skills” by creating the “Safety Helmet Premium Deduction” or “SHPD”), which could be used to incentivize the use of Helmets by Motorcycle and Moped Riders by amending HRS Section §431:10G-201(c) to include a further discount of fifteen (15%) percent for any Rider who voluntarily commits to wearing a Helmet.

(G) Motorcycle Traffic-Safety School (“MTSS”) is an effective alternative to payment of a fine or suspension for a citation. The requirement to attend a MTSS with multiple traffic citations (i.e. three or more in any one 12 month period) or multiple accidents (i.e. three or more at-fault in any one 12 month period), exposes these Riders to critical information, training, and experience relating to Moped and Motorcycle Skills development that can greatly reduce the likelihood of the Riders will be involved in a subsequent accident. They would be required to satisfactorily complete a specialized motorcycle rider training course (AMSTC/MSTC whether it is the “beginner course” or an “advanced skills course”) all at their personal expense as part of satisfactorily completing all of the MTSS requirements to retain their licensing qualification for a Category (1) or Category (2) license.

(H) Leave the Helmet choice optional for Adult Riders, they have a constitution right to privacy, due process and equal treatment before the law. Freedom of choice to wear a Helmet as long as it does not harm others, according to minority decisions of the Hawai’i Supreme Court, has recognized and respected in the past. Those constitutional rights may now be held by the majority of the Court, it is impossible to say without a challenge.

All of which is respectfully submitted:

Bruce Paige

Bruce Paige
SBU State Director

LATE

SB-824-HD-1

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Testimony for FIN on 3/29/2019 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jasmine Paige	Individual	Oppose	No

Comments:

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