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2:05 P.M.
State Capitol, Room 325

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

House Committee on Judiciary

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.



Street Bikers United Hawaii (SBU) Submissions

March 12, 2019

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Bill SB No. 824 SD1 (SSCR985)– RELATING TO RENTALS OF MOPEDES AND MOTOR SCOOTERS.

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 (SSCR1334): 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 SB Bill SB824,SD1,HD1 On Three Fundamental Grounds:

- (1) Mandatory Helmet Law Already Exist for Moped, Motor Scooter and Motorcycle Riders Under Eighteen (18) Years of Age;
- (2) 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;
- (3) 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 Bill SB Bill SB824,SD1,HD1. SBU’s recommendations are fair,

[equitable and apply to all new untrained and inexperienced Riders equally applies to all unlicensed Riders \(who have not completed a MSTC\), regardless of whether they are seeking a new license to ride a Moped, Motor Scooter or Motor Cycle; or renting Motorcycles, Motor Scooters and Mopeds in Hawaii.](#)

SBU Submissions – SB824,SD1,HD1

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

Ground I-Mandatory Helmet Legislation Exists for Under Aged Riders Already

- I. 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). They 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 a tourist from another country with valid Motorcycle Licenses is 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, when they are riding up the road with or without a Hemet on, without looking at their license. 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 scrupulously 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 of Helmets until it is too late, as stated above.
- II. 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 Citizen’s Constitutional Privacy Rights (Preamble United State Constitution (USC); US Declaration of Independence “(USDI)” “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 expressly protects 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. See also past Hawaii Supreme Court (Minority Decisions) that recognized these rights.¹

(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: (1) 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 existing 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).

(ii) It is denying Adult Moped Category (1) licensees, and Adults with an Driver's License Class other than Category (2) licensees, the same Constitutional Privacy Right to choose not to wear a Helmet. It is treating Category (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

¹ State v Cotton, 516 P.2d 709 (1973) 713. The two judge minority decision was written by Justice Abe and joined in by Justice Kobayashi, and is summed up in the concluding paragraphs as follows:

*"The makers of our Constitution * * * sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men. * * **

Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

Therefore, I cannot agree that the protection of an individual from himself is within the legitimate exercise of the police power; otherwise, there would be no restriction or limitation to this power, and the State could regulate an individual's life, his way of living, and even his way of thinking. The statute is not concerned with the preservation of public safety, health, order, morals, or welfare; and though the headgear requirement may be beneficent, nevertheless, it is unconstitutional because it attempts to infringe upon and stifle the fundamental personal right of liberty, under which each individual may act as he sees fit to preserve his own safety if he does not harm others in doing so.

The fact that the general public may consider it foolhardy to ride a motorcycle without a safety helmet is alone insufficient basis or justification for defining the non-use of a helmet a criminal offense. I believe that our State Constitution affords one the privilege of making a fool of himself if he so desires, so long as his action does not bring significant harm to the general public.

I would, therefore, hold that HRS § 286-81(1)(A), the provision requiring the wearing of a helmet, is not a reasonable exercise of the State's police power and violates Art. I, Sec. 2 of the Hawaii State Constitution, and I would overrule State v. Lee, 51 Haw. 516, 465 P.2d 573 (1970)."

State v Lee, 465 P.2d 573 (1970), 573.

In State v Lee, 465 P.2d 573 (1970) at 573. However, Abe J. wrote the dissenting decision relying on the protections afforded by the Hawaii Constitution at Article 1 Section 2 as giving rise to inherent and inalienable privacy rights, which can only be restricted or infringed upon by the state's police powers in the legitimate protection of the public interest and not to protect an individual from themselves. Citing other cases which had declared helmet laws unconstitutional at page 578 he states:

"As stated by the majority of the court, the issue of this case is whether the legislature may constitutionally regulate the conduct of a person for his own safety. I disagree with the majority opinion and I would hold the provision of HRS § 286-81(1) (A) requiring appellant, a motorcyclist, to wear a helmet for his own safety unconstitutional.

Courts in other jurisdictions have declared similar laws to be unconstitutional. People v. Fries, 42 Ill.2d 446, 250 N.E.2d 149 (1969); American Motorcycle Ass'n.v. Davids, 11 Mich. App. 351, 158 N.W.2d 72 (1969)."

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 of full-time riding and level of training 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 (it is from 75% for MSTCs graduates to as high as 95% for Trained Riders with over two (2) years’ experience or Riders with over four (4) years full time riding Experience). Therefore, absent those exceptions, 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 reducing head injuries that result from such accidents, 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) thereby treating them differently than those with Motorcycle licenses from other states. This is 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 Adult Renters of 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 the Government can justify its 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 of 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 physical likelihood of head and brain injuries or death, if they do not wear a Helmet. This form of discrimination based on the nature of the renter’s license alone that is built into this Bill 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), is justified as meeting those three levels of Constitutional Review Criteria described under II(ii)(a)-(c) above 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) other classes of 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 II(ii)(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 they are inexperienced and untrained Riders and therefore at a high risk of being involved in an accident and therefore vulnerable to at least some kinds of “lower Speed Single Vehicle Accidents” that Helmets are very effective for 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 not effectively or at all, able to achieve the “Important Government Purpose” of reducing head, brain and fatal injuries in the targeted Adult Rider population discriminated against in order to achieve that Important Government 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 another 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 the 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 it fails the third and lowest level of Scrutiny as well [again 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”).

III. SBU submits that since Motor Scooter is included in the Definition of Motorcycle, 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 other states, while other Motorcycle Operators are excluded, which is a breach of the Privacy Rights, Equality Right 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 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 experience based 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 as much as 75%. Experience Riders with at least one MSTC or AMSTC (or riders with over 4 years or more full time riding experience) have a very low likelihood of being in an accident, as much as 95% lower than an new rider without a MSTC history according to some studies.²

(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 see Hurt pages 250-255.)

(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). Giving Lexi a MSTC might have made a real difference.

(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 adverse 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**

² 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.

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 Bill’s preamble. To set the record straight SBU cites well know and verifiable studies based on large number studies which have been compiled using scientific methodology, which may not have been the case with the HIPP study.

- The Hurt Report is the best known and most extensive motorcycle study ever conducted³. 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 traffic analysis reports (“TARs”) involving motorcycle accidents studied by Hurt at 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.⁴ 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 was 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 then 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 in those riders actually suffering a fatality, or severe head or brain injury; SBYU says those statistics still appear exaggerated and are inconsistent with other well-known and verifiable studies. As we shall discuss below.
- 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,

³ Hurt Report January 1981, Studied total of 900 On Site Indepth Investigations (“OSIDs”), 3600 Traffic Accident Reports (“TARs”). Between July 1975 to September 1980 Authors H.H. Hurt, JV 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.

⁴ 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.

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 is undesirable, 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, 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 scarce public resources. They do not solve the problems, but they infringe upon and abrogate the constitutional rights and have a social cost to large numbers of citizens who enjoy their Privacy Rights to Choose whether to wear a helmet or not while riding a Moped, Motor Scooter and Motorcycle, with no material benefit to society for the social cost of abrogating those rights.

- 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, and when the class is expanded to less than 12 months full time riding experience it is up to 69.7 %. Between 1-2 years riders have only a 12.4% probability of being involved in accidents. With over 4 years' of full-time riding experience it drops to a 3.2% chance of becoming involved in an accident according to Hurt at page 129, Table 7.9.4.
- Although, it has been over 35 years since the Hurt Report was published the only other study even comes close to the sample size and comprehensiveness of Hurt is the "MAIDS" Study⁵ which essentially updates Hurt, but is not as reflective of Hawaii's circumstances as the Hurt Report, because unlike Hawaii today and California (between 1975-1980) when Hurt data was compiled, there was no mandatory Helmet law for adult riders, unlike the European countries that are studied by MAIDS and 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 riders are more likely to become involved in accidents due to poor collision avoidance skills an ineffective judgment when confronted with hazardous situations (c) at pages 119-120, data indicated that the severity of injuries increased with speed, however serious, critical and maximum injuries (i.e. 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 kms/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,

⁵ 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.

that justifies “crisis like decisions to abrogate Adult Rider’s constitutional rights. The NHTSA 2016 Report confirms that there are only 18 States with universal Helmet Laws, there are three (3) states with no form of helmet laws at all, but the vast majority of states, just like Hawaii, have modified helmet laws that have limited application, usually to persons under the state’s legal age. ⁶ 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 died in accidents on American roads, while only 40% of non-helmeted motorcyclists died. That is 31% less fatalities for non-helmeted riders than Helmeted riders, which is highly statistically significant. The NHTSA 2016 Report also states that Hawaii had 9 deaths of Helmeted riders (38%) and 15 non-helmeted Riders (63%) of fatalities for 2016 in Hawaii, which is also statistically significant and completely contrary to the national statistical trends during the same period. 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 many 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.⁷ Oregon and Maine are examples of a mandatory MSTCs integrated into 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 programs for Moped, Motor Scooter and Motorcycle Safety Training and licensing.⁸

- 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., which is just on a normal city street, it is 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 failed to control her Moped and avoid colliding 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 accidents). 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

⁶ National Highway Transportation Safety Association (“NHTSA”) 1200 New Jersey Ave., S.E. Washington, D.C. 20590, 2016 report published in February 2018.

⁷ 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>)

⁸ Ibid F.N. 6, page 206.

their Moped, Motor Scooter and Motorcycle Safety Training Courses), her chances would have been over 75% of being able to avoid the accident entirely. 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% of graduates continue to wear Helmets).

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, 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 (of Motorcycles, Motor Scooters or Mopeds) 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 should be required for 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 constitutional rights 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 been 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. However, this unconstitutional Bill SB824,SD1,HD1 falls short of the mark in every way and should be rejected by all SBU members.

All of which is respectfully submitted:

Bruce Paige

Bruce Paige
SBU State Director

SB-824-HD-1

Submitted on: 3/17/2019 2:53:16 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Pagan	Street Bikers United	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 5:51:58 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
T. Kelly Liftee Jr.	Koa Puna	Oppose	No

Comments:

In Opposition to SB 824 SD1 HD1

My Name is Roy Gomez, I am a member of Street Bikers United, and I have been riding motorcycles for over 45 years. I am opposed to SB 824 SD1 HD1.

The language of Bill SB824 SD1 HD1, seeks to apply Mandatory Helmet requirements to Persons who rent or lease a Moped or Motor Scooter to someone must require they comply with the requirement the renter or lessee wears a Helmet, regardless of age, the proposed legislation however laudable, is fraught with enforceability and constitutional problems which are described.

The primary argument of many helmet law opponents is that if the federal government enacted a mandatory helmet law, the regulation would encroach on states' rights. As you read in the above paragraphs, even Congress seems unsure of its proper role in deciding whether helmets should be mandatory.

Street Bikers United is a Hawaii Motorcycle Rights Organization promoting Motorcycle Safety and Education, and is a charitable organization that opposes proposed helmet laws. We argue that education, Helmet Laws not legislation is the key factor in creating a safe environment for motorcyclists.

A similar organization, the American Motorcyclist Association (AMA), has advocated for motorcyclists since 1924. This organization supports helmet laws aimed at minors who ride motorcycles. They agree that younger riders may lack the needed maturity to make a proper decision about helmet use. Interestingly, the group also encourages the use of helmets for all motorcyclists, but drastically opposes legislation requiring helmets on the theory that the decision of when to wear a helmet should be left to each individual biker. Which is why SBU supports our current Hawaii Helmet Laws for Minors.

Many opponents assert that merely wearing a helmet while riding a motorcycle is an unnecessary and insufficient method of guarding oneself against injury. Instead, they claim, riders should educate themselves on safe riding practices and avoid dangerous situations entirely. Their view is that helmet laws do nothing to prevent accidents; only education and safe riding can prevent accidents.

Further, opponents counter the argument that motorcyclists place an undue burden on taxpayers by noting that when the costs of injuries to motorcycle riders are examined in the context of the large scale health care picture, the sum of money paid on behalf of motorcyclists is not astounding. A Harborview Medical Center study discovered that the percentage of motorcyclists who relied on public funding for medical treatment (63.4%) was actually lower than that of the general population (67%). Similarly, the University of North Carolina's Highway Safety Research Center found that 49.5% of injured motorcyclists had insurance to cover their medical costs, were nearly identical compared with 50.4% of other road trauma victims

Thank you for your understanding

Roy Gomez
374 North Vineyard Blvd F-31
Honolulu, Hi 96817

SB-824-HD-1

Submitted on: 3/16/2019 11:17:09 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Holly Reiplinger	SBU	Oppose	No

Comments:

I wholeheartedly oppose this bill!

SB-824-HD-1

Submitted on: 3/18/2019 7:36:18 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Roch Leblanc	SBU	Oppose	No

Comments:

I oppose thism measure.

SB-824-HD-1

Submitted on: 3/17/2019 10:35:50 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pauline Walton	Individual	Oppose	Yes

Comments:

sanbuenaventura2 - Kevin

From: Richard Crean <richardcrean@gmail.com>
Sent: Saturday, March 16, 2019 8:06 AM
To: JUDtestimony
Subject: Lexi's Law: SB824 Testimony

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 rode 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) "Counter steering" 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 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 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 like 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 quadrapalegic 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

sanbuenaventura2 - Kevin

From: Cali Jansen <calijansen@gmail.com>
Sent: Saturday, March 16, 2019 2:50 PM
To: JUDtestimony
Subject: SB824

This is testimony that SB824 NEEDS to be heard and passed.
I lost a dear friend who died in Hawaii on a rented scooter without a helmet.

Carolyn Jansen

sanbuenaventura2 - Kevin

From: char retzlaff <charalice4445@yahoo.com>
Sent: Saturday, March 16, 2019 3:55 PM
To: JUDtestimony
Subject: SB824 Testimony

Please, please, please support SB824 relating to mopeds and motor scooters. When they told me she was gone I wailed. I cried. I howled and I screamed as loud as I could. Nothing brought her back. I would be ever so grateful if you would help to see that no other grandparent ever has to go through this pain for something that may have been preventable. Thank you for listening to the grief of a grandmother.

Regards,
Charlotte Retzlaff

Sent from my iPhone

sanbuenaventura2 - Kevin

From: peter barnsley <peter_barnsley@hotmail.com>
Sent: Sunday, March 17, 2019 1:08 PM
To: JUDtestimony
Cc: TimnDani Jenkins
Subject: Lexis Law

Members of the Judiciary Committee, I am writing this submission to you , to urge you all, to seriously consider recommending that this legislation be passed by you, so that the Governor is able to sign off on it.

My submission is simple; this law will safe lives, and certainly prevent serious head trauma to many countless individuals. It will save untold amounts of money, also freeing up, valuable rescources, enabling them to be used elsewhere in the medical field.

Your Island home is a worldwide draw card, for countless hundreds of thousands, indeed, millions of tourists, both from within the US and overseas, and what you legislate, carries great weight, with perceptions. When this is passed, these masses will see that you care about their safety, and wellbeing.

Try if you will, to put yourselves in this situation; you have said your goodbyes to your son/daughter, who are heading off on a vacation, to Hawaii, a place that has been in their dreams for ever, and they are finally fulfilling that ambition, you are excited for them, a little nervous, yet excited. You wish them well, and off they go. They keep in contact with you, on their arrival , and are having a great time. One day however, you recieve word from authorities, that there has been an accident, involving your child, or loved one, and tragically they have passed away. Imagine how devastated you would feel, but even more disturbing, being told that severe head injury had occurred, and that this could, in all probabality, have been avoided, simply by wearing a helmet. You would be shattered, I'm sure

Now, no one is suggesting that accidents are not going to happen, because there not, however, if head protection was the law when riding a motorbike or scooter, it would seriously reduce the risks of head trauma, thus reducing of brain damage, thus requiring ongoing medical care, and tying up resources, or worse still, death.

You need to pass this, to avoid these sinariose from occurring.

Please, please, pass this, for the sake of countless families, both now and in the future, having to go through this extreme heartache!

Thankyou, in anticipation, respectfully, yours, Peter R Barnsley, Pakenham Victoria Australia

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SB-824-HD-1

Submitted on: 3/15/2019 7:23:33 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

On August 15, 2017, a young woman from California, riding a scooter right in front of my condo on Maui, was killed after colliding with a truck. She was not wearing a helmet.

SB824 targets untrained and unlicensed visitors by requiring scooter and moped rental companies to provide a helmet if the individual does not have one of their own. It specifically EXEMPTS anyone with a motorcycle license issued by any state in the U.S. Helmet laws have failed before in Hawaii because many local motorcycle owners don't want to wear a helmet. This bill EXCLUDES them. It aims at only the unlicensed, giving them a potential life-saving tool should they have an accident.

Many people resisted seat belts but it is the law because it saves lives. This scooter and moped law will save lives. Please vote yes on SB824.

SB-824-HD-1

Submitted on: 3/16/2019 7:00:44 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I support this bill because I know that it will save lives. This will help bring home so many tourists from Hawaii safely. Please pass this bill to help protect those who come to visit and rent scooters and mopeds.

SB-824-HD-1

Submitted on: 3/16/2019 7:07:13 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Please pass this.The helmet law would save so many lives. Thank you,Donna Mauldin

SB-824-HD-1

Submitted on: 3/16/2019 7:09:40 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Please pass this law as this was a tragedy for Lexi and her family that no one should have to ever endure to lose you child !!!! We are homeowners on Maui and feel very strongly about this law as many folks stay in our condos on vacation and no one should be authorized to operate a moped on vacation or otherwise from any company that is in business on the Islands with out the proper safety gear !!! This is a tragedy any way you look at it !!! This law needs to be put in place ASAP to save more lives on the Hawaiian Islands !!! Please !! Please !!! 🙏🏻 • 🙏🏻 • ½ 🙏🏻!❤️🙏🏻 •

SB-824-HD-1

Submitted on: 3/16/2019 7:34:35 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Our close friend was killed in a moped accident in Hawaii last year. Experiencing the heartbreak and seeing what her parents and so many who loved her have endured we would hate to see future families experience the same in the State of Hawaii and feel passionately this law should be considered and passed.

Thank you for your time,

Ashley Ziem

SB-824-HD-1

Submitted on: 3/16/2019 9:20:32 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheri Alward	Individual	Support	No

Comments:

I have been to Maui and it is a very dangerous place to operate a scooter or moped. It has claimed too many lives, including our friends young daughter, Alexis. Praying this matter gets resolved.

SB-824-HD-1

Submitted on: 3/16/2019 10:04:35 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I strongly support the bill in hopes of preventing future deaths due to head injuries on mopeds.

Sincerely, Donna Farr

SB-824-HD-1

Submitted on: 3/16/2019 10:11:26 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Mattinson	Individual	Support	No

Comments:

My name is Susan Mattinson, I reside part time at Makena Surf where this tragic accident occurred and I've seen some of the heart wrenching aftermath of such an awful, preventable accident. Please pass LexisLaw SB284 to help reduce such tragedy and loss.

Thank you,

Susan Mattinson

SB-824-HD-1

Submitted on: 3/16/2019 1:04:56 PM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/16/2019 1:48:56 PM

Testimony for JUD on 3/19/2019 2:05:00 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,

Avery Kaz, Ph.D.

Human Anatomy, Orthopedics

SB-824-HD-1

Submitted on: 3/16/2019 4:19:54 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I support Sb824. Please pass this bill in confidence that it will save lives!!

SB-824-HD-1

Submitted on: 3/16/2019 4:41:58 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I support this bill. For the safety of everyone this bill needs to be passed.

SB-824-HD-1

Submitted on: 3/16/2019 5:28:17 PM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/16/2019 7:20:08 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Hello, my name is David Hill, i am writing this with tears in my eyes as Alexis Jenkins is my niece. We are a close Family and we truely miss her. I 100% support this this bill. Not just because she was my niece. A helmet might not have saved Lexi. But how many of the 22 people who lost there lives might have survived if this law was in place. I have been riding motorcycles all my life and allways wear my helmet even in states wear I don't have to. Please pass SB824 to protect your visitors.

Thank you

David Hill

SB-824-HD-1

Submitted on: 3/16/2019 10:20:17 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

To the governing authorities of Hawaii

I am so pleased with Lexislaw and how its geared specifically at protecting visitors to the Islands. I'm also pleased with how everyone has worked together to bring this bill through to this point. It is such a great cause, yes it was born out of trajedy but it ends with saved lives and the memory of a wonderful young lady who inspired us to do good. Thank you for supporting Lexislaw! I'm confident this is one of those changes made we can and will be so very proud of.

Kindest regards,

Kim Corpus

SB-824-HD-1

Submitted on: 3/17/2019 8:35:39 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Kessler	Individual	Support	No

Comments:

sanbuenaventura2 - Kevin

From: keith menches <kmenches@hotmail.com>
Sent: Monday, March 18, 2019 5:05 AM
To: JUDtestimony
Subject: Lexi's Law SB824

Good morning to the entire committee! My name is Carrie Suzanne Malone. I have two children Garrett 22 and Riley18. We have friends that have lived in Hawaii for years.now. We're hoping to take our 1st family Family Vacation to Kona. I hope and pray that when we arrive, Lexi's law has passed. This law is to protect others who have zero experience on any motorized, two-wheel moped.

I'm 100% in favor of wearing helmets for myself and my entire family. I couldn't even fathom an accident happening like that, while on vacation in Hawaii or anywhere. Then having to to bring home one of loved ones home deceased. Mr. & Mrs. Jenkins lost their only daughter. They'll never experience Lexi's engagement, bridal shower, wedding, baby shower, grand babies, birthdays, Mother's and Father's Day, and all the beautiful celebrations that we all enjoy throughout the year with our families. Please pass this law...in the name of young lady who gave herself to others and was a beautiful human being on the inside and out...Lex is no longer with us, but her presence is everywhere!!!! Have a loving day🌸

Sent from my Verizon, Samsung Galaxy smartphone

SB-824-HD-1

Submitted on: 3/18/2019 1:51:52 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa D McNabb	Individual	Support	No

Comments:

I am in full support of Lexi Law being passed. SB824 is so important in keeping Hawaii a safe place for visitors to visit while on scooters looking at your beautiful state. Our friend Alexis Jenkins, wasn't so lucky. She lost her life on her first visit to Hawaii while sightseeing with her boyfriend. Please see how important a simple law change would be. It would help save lives of many. Statistics show numerous deaths a year that possible would of been saved. Thanks you in advance for your consideration on doing the right thing in passing SB824 Lexi Law/

Sincerely, Lisa McNabb of Auburn, Ca.

SB-824-HD-1

Submitted on: 3/18/2019 1:13:08 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 12:33:23 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I personally support any helmet law just like I support the seat belt law. Helmets save lives, just like seat belts save lives. As an individual with a valid motorcycle license I would never ride without a helmet, and anyone who rides a motorcycle without a helmet is increasing their risk at serious damage.

SB-824-HD-1

Submitted on: 3/18/2019 12:24:47 PM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/18/2019 12:05:59 PM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/18/2019 11:46:09 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

As a critical care nurse, I strongly support this measure to implement helmet safety

SB-824-HD-1

Submitted on: 3/18/2019 11:13:47 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Please I ask that bill SB824 Lexi's Law go forward to pass to totally decrease the injuries and deaths for vacationers / visitors to be safely trained and resources given to safely enjoy and return home to our loved ones

Sincerely

Cindy L Morse

SB-824-HD-1

Submitted on: 3/18/2019 11:28:51 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sunny Juarez	Individual	Support	No

Comments:

I competely and fully support SB824 Lexi's Law and have to question those that don't? These are our loved ones and we are fully aware that a helmet law is statiscally proven to save lives. We own a successful white water rafting company, which we require our patrons to wear a helmet. Why? SAFETY FIRST BEFORE NUMBERS! Reading and following the few Street Bikers United oppositions, saddens me. My heart breaks each and every time one of the SBU members, loved ones, family and or friends fall victim unnecessarily. Do they second guess their position when they see these things, or are they held hostage to their old ways of thinking? Is the SBU teaching their children to wear a helmet or just teaching them it's their choice? I find the latter hard to believe! Let's protect our loved ones and yours...

I care about you and your loved ones, do you care about mine?

SB-824-HD-1

Submitted on: 3/18/2019 11:04:08 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Jenkins	Individual	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: 3/18/2019 10:58:00 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Jenkins	Lexislaw808	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, needs to be protected and all the data supports that a helmet helps saves lives.

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: 3/18/2019 10:38:41 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Reed	Individual	Support	No

Comments:

Hello,

My name is Jennifer Reed, and I live in Las Vegas where I first met Alexis Jenkins. This young woman is vibrant, beautiful and could glow like you've never seen. Because of Alexis, I have all the fortune and financial benefit that I currently carry because of her connections and ability to open doors for me. This young woman touched the lives of many people and was pursuing a career, education and life that exposed her dreams into reality. I urge you to please pass this bill so other friends, family and acquaintances will never have to write out what the rest of us NEED to write because a life was lost for lack of helmet and proper protection. It burns a hole in our hearts that this could have been prevented with one simple measure. Please do not let this happen again.

SB-824-HD-1

Submitted on: 3/18/2019 9:40:10 AM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/18/2019 8:26:37 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ingrid Phipoen	Individual	Support	No

Comments:

To Whom it May Concern;

I am writing to support this bill because the loss of Lexi Jenkins has affected our family so deeply. She was my daughter Hannah's closest friend. She showed her how to live and value herself and to pursue her dreams by being an amazing example and encourager. We love her so much! She showed us all how to live life to the fullest. She was beautiful, very smart, daring, loving, compassionate and giving. She was true to herself yet unselfish. An only child, she was and still is the centerpiece of her parents world. To lose their daughter because no law was in place to guide and protect her is so sad. Please protect other families from such tragedy by making this bill a law in your beautiful state of Hawaii.

Sincerely,

Ingrid Phippen

SB-824-HD-1

Submitted on: 3/18/2019 8:19:38 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Wilson	Individual	Support	No

Comments:

Innocent lives can be saved by a law like this. Too many people die because of no regulation on this issue!!!

SB-824-HD-1

Submitted on: 3/18/2019 7:55:43 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Salvador	Individual	Support	No

Comments:

Being a former resident of Hawaii I see the importance of this bill to be passed because riding a moped without a helmet is dangerous.

SB-824-HD-1

Submitted on: 3/18/2019 7:33:25 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Please pass this bill for the safety of all parties involved. To many life's are in jeopardy. A helmet law should be the standard of all states for the protection of its people.

SB-824-HD-1

Submitted on: 3/18/2019 7:23:41 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nina Boatman	Individual	Support	No

Comments:

I support Lexi's Law SB824 a mandatory helmet law for moped/scooter rentals and for those that do not hold a valid motorcycles license in any state.

This law can and will save lives and prevent possible head injuries. There has been enough research and statistics that prove this to be true.

Our loved ones need to be safe when visiting the islands.

Regards,

Nina Boatman

SB-824-HD-1

Submitted on: 3/18/2019 6:48:27 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
staysha	lexil law	Support	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 6:47:34 AM

Testimony for JUD on 3/19/2019 2:05:00 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: 3/18/2019 6:43:48 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Hello,

Please make this happen. This law could save so many innocent lives that aren't thinking of what could happen on vacations and are just having a good time. Life can change in a blink of an eye.

SB-824-HD-1

Submitted on: 3/18/2019 6:41:36 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

It is very important that SB824 passes, it could save lives and stop families from losing their loved ones.

SB-824-HD-1

Submitted on: 3/18/2019 6:22:34 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

We need a helmet law to protect people from passing like my cousin did.

SB-824-HD-1

Submitted on: 3/17/2019 3:43:21 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

Dear Representatives:

I strongly support bill SB824 SB1 HD1 - This bill will save lives.

On August 15, 2017, a 24-year-old woman from California was riding a rental scooter on the road in front of my home in Makena, Maui. Ms Lexi Jenkins lost control of her scooter and collided 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 horrible tragedy.

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 offered a helmet even though she had no prior experience on how to operate a scooter and no knowledge of the roads of Maui - most of our roads in South Maui DO NOT have any bike lanes or shoulders for motor scooters or mopeds.

Lexi's parents paid the ultimate price, losing their ONLY child. No one should have to suffer that loss.

We are losing too many visitors and folks from our own communities – these folks rent scooters and mopeds with no expertise on how to operate them. They compete with cars and trucks on our roadways most without any bike lanes or shoulders. Wearing a helmet would give them a better chance of surviving if they are in an accident, all the statistics show this is true! Head injuries are the major cause of death.

No visitor should die on our roads because they are not wearing the proper safety gear.

SB824 targets untrained and unlicensed visitors by requiring scooter and moped rental companies to provide a helmet if the individual does not have one of their own. **It specifically EXEMPTS anyone with a motorcycle license issued by any state in the U.S. This bill EXCLUDES them.** It aims at only the unlicensed and untrained, giving them a potential life-saving tool should they have an accident.

Please support SB824 SD1 HB1 - it will save lives!

Thank you.

Judith Michaels

Makena, Maui 96753

SB-824-HD-1

Submitted on: 3/17/2019 6:57:26 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Schecter	Individual	Support	No

Comments:

I strongly support this Bill. It will save lives, and only minimally limit personal freedom of dress.

SB-824-HD-1

Submitted on: 3/17/2019 2:52:09 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 12:55:41 PM

Testimony for JUD on 3/19/2019 2:05:00 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 this Bill to pass and keep all visitors as safe as possible and I don't believe a helmet is too much to ask.

Please pass Bill SB824

SB-824-HD-1

Submitted on: 3/17/2019 12:53:58 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I, Jacob Canada, am in support of Lexislaw SB824. I am a seasoned rider and licensed to do so for over a decade. In addition, I am also a motorcycle mechanic.

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. You think it would be common sense. Even seasoned motorcycle riders know the dangers and wear helmets. Let alone a green horn with zero experience. Even if there isn't a law maybe all the local rental companies should just do it for the sake of their customers/ riders. You could always go directly to the source. Even if the vendors just had signs that warned people about the dangers of not wearing helmets and have helmets available if someone wants one they have them.

**TESTIMONY OF
LARRY S VERAY
TO
COMMITTEE ON JUDICIARY
SUPPORT OF SB 824 SD1 HD1
RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS
MARCH 17, 2019**

Aloha, Chair Chris Lee, Vice Chair Joy San Buenaventura and Committee members. Although I am Chair for the Pearl City Neighborhood Board No. 21, I am submitting this testimony as an individual. Our Board previously voted on previous legislation in support of improving safety and noise control for mopeds.

This bill is extremely important to enhance the safety of those who operate mopeds and scooters from a rental company making it mandatory for the licensed operator to wear a safety helmet using Hawaii roadways. This bill will also prohibit the aftermarket modification to moped or scooter motors by rental companies.

You have the ability to dramatically improve the safety of the many tourists and local residents who rent mopeds and scooters. Helmets for those riders will save many lives and should be mandatory for all motorcycles, scooters and mopeds.

I most strongly urge you to pass SB 824 SD1 HD1. Mahalo!

Very respectfully,

Larry S. Veray

SB-824-HD-1

Submitted on: 3/17/2019 12:49:34 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I, Marjorie Masalta, am in support of SB824.

We have a responsibility as human beings to keep people safe when visiting or living on our beautiful islands. I have family that visit me from the mainland and I never thought for a second about them wearing a helmet when they rented a moped/scooter for a day. This has brought a new outlook on mopeds and their safety. The modifications alone being done on these two wheeled vehicle alone should be a big reason why either a helmet safety law should be implemented for those without motorcycle training. I have two sons that are motorcycle riders and have taken the necessary training both hold the necessary license to operate. Both sons are also motorcycle mechanics as well. Therefore, I have a clear understanding if a moped is modified to go beyond the limits in which they are intended. We are allowing non licensed operators on these two wheeled vehicles without any real training. The number the DOT provided is one too many lives lost in these deaths that some could possibly have been prevented had they been wearing a helmet.

The Jenkins paid the ultimate price in losing a child. They lost their ONLY child. No one should have to suffer that loss. No parent should have to out live their children let alone their ONLY child! We are losing too many visitors and people from our own community to something that could maybe prevent the death of a loved one or your loved one living the rest of their lives with a traumatic brain injury.

With that said, I support SB824 and if this saves one life our efforts have made a difference on my beautiful islands.

SB-824-HD-1

Submitted on: 3/17/2019 12:47:30 PM

Testimony for JUD on 3/19/2019 2:05:00 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.

SB-824-HD-1

Submitted on: 3/17/2019 12:30:18 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

This bill is very important. It will save lives!

SB-824-HD-1

Submitted on: 3/16/2019 9:10:04 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Rod	Individual	Oppose	No

Comments:

We need to make it mandatory for moped riders to take safety motorcycle classes to avoid accidents. I believe it is the riders RIGHT TO CHOOSE.

SB-824-HD-1

Submitted on: 3/17/2019 1:04:18 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Rivera	Individual	Oppose	No

Comments:

It's my life and it should be my right to decide how I ride. A helmet interferes with my peripheral vision and it makes me claustrophobic and panicky. With no helmet I am able to more freely see and hear my surroundings and it should be my choice how I live or die. No one else's.

SB-824-HD-1

Submitted on: 3/17/2019 3:09:51 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 3:24:28 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
donald hudson	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 3:36:45 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Keaweai	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 4:06:47 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mari Baskin	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 5:05:47 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Lau	Individual	Oppose	No

Comments:

Oppose!

SB-824-HD-1

Submitted on: 3/17/2019 5:15:21 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pancho Owens	Individual	Oppose	No

Comments:

I strongly oppose this bill and all effects. I believe in the riders right to choose.

SB-824-HD-1

Submitted on: 3/17/2019 5:19:30 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
john	street bikers united	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 5:58:36 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Len Fergusen	Individual	Oppose	No

Comments:

I OPPOSE SB 824. I am a lifelong resident of Hawaii, a teaching professional and I VOTE.

SB-824-HD-1

Submitted on: 3/17/2019 6:09:24 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Matsuoka	Individual	Oppose	No

Comments:

I oppose any motorcycle helmet law in Hawaii. I am a licensed motorcycle rider for 45 years. Thank you.

SB-824-HD-1

Submitted on: 3/17/2019 6:45:59 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maureen Matsuoka	Individual	Oppose	No

Comments:

I oppose any motorcycle helmet law for Hawaii

SB-824-HD-1

Submitted on: 3/17/2019 6:53:49 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
chris luan	Individual	Oppose	No

Comments:

I feel it is a personal choice to wear a helmet and oppose this

SB-824-HD-1

Submitted on: 3/17/2019 7:29:15 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Celeste Rogers	Individual	Oppose	No

Comments:

I oppose this unnecessaey bill.

SB-824-HD-1

Submitted on: 3/17/2019 7:32:12 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 7:42:18 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jen Roberts	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 7:47:01 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Nicholson	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 7:55:54 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
roylanda balinbin	Individual	Oppose	No

Comments:

We have a "right to choose" should we wear a helmet or not. We live to ride, we ride to have a sense of living. We choose to ride to live! I OPPOSE!

SB-824-HD-1

Submitted on: 3/17/2019 8:16:08 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Aprill Wilson	Individual	Oppose	No

Comments:

I see better without wearing my helmet which helps me to ride more defensively because I can see what's going on around me.

SB-824-HD-1

Submitted on: 3/17/2019 8:21:49 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 8:36:08 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
luke	Individual	Oppose	No

Comments:

An independent adult should have the right to choose their own level of safety.

SB-824-HD-1

Submitted on: 3/17/2019 8:38:05 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Don Greman	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 8:52:00 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Traci Powers	Individual	Oppose	No

Comments:

I oppose this legislation as an infringement of civil liberties.

SB-824-HD-1

Submitted on: 3/17/2019 8:59:21 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
edison	street bikers united	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 9:04:05 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Schultz	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 9:06:36 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
sheldon	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 9:16:08 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DAVID JENKINS	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 9:19:02 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy Waldmann	Individual	Oppose	No

Comments:

this measure needs to be opposed if allowed to pass it will remove my right to decide if i would like to wear a helmet or not. if this is allowed to pass then other members of the legislature will find more reason to push a motorcycle helmet law i do not want that.

SB-824-HD-1

Submitted on: 3/17/2019 9:41:54 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marie Bashaw	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 10:00:54 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald J Romero	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 10:06:43 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
robert pryor	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 11:26:31 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Alkire	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 12:37:56 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
christopher ferrara	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 1:37:22 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terrill Watkins	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 1:38:05 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ikuko Watkins	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 1:50:12 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel Halverson	Individual	Oppose	No

Comments:

I oppose this bill.

SB-824-HD-1

Submitted on: 3/17/2019 3:55:22 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tracie Hasuike	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 3:59:57 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
G-Dawg	Individual	Oppose	No

Comments:

Instead of infringing on our rights, why not look at requiring training before allowing people to rent mopeds?

SB-824-HD-1

Submitted on: 3/17/2019 4:37:01 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jobey rodriguez	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 5:28:46 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Dinneen	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 5:48:04 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maxwell Hardoby	Individual	Oppose	No

Comments:

I ride a motorcycle daily on the freeways in Honolulu and have ridden daily when I resided on Maui. Even when I was in my 20's and up till now in my mid 30's as a motorcyclist here in Hawaii I have had many missed accidents because my peripheral vision was not restricted by a heavy motorcycle helmet. I am frequently cut off or my lane taken by inattentive motorists just haphazardly changing lanes, making turns or otherwise not regarding motorcycles as needing to be looked for. Granting stricter punishments to motorcycle accidents caused by innatentive motorists would go a lot further to preventing loss of life. I see people swerving into my lane holding cell phones and smoking weed DAILY. This is something you will severely impact my peripheral vision to observe and maneuver away from by this requirement. I have even tried to wear a DOT approved half helmet myself only to find this just as restrictive, particularly on the freeway. The straps on the side frequently cut off a portion of my vision none-the-less. Greater deference to motorcyclists needs to be integrated into the law. This would go a lot further to avoiding preventable accidents to begin with. For example allowing motorcycles to pass in traffic would make a public policy observable to motorists that you defer to motorcycles on the road. Motorcycles are at a greater disadvantage to safety inherently as a result of the nature of riding. However, that doesn't mean motorists should not be responsible for how their actions effect motorcyclists. Help increase the accountability to vehicle operators by making it clearer that motorcycles are legally entitled to use of the roadway in a way that keeps them as safe as possible. Don't try to take responsibility for a decision that should remain exclusively in the hands of an individual because it is a personal choice which has no adverse effect on the roadway toward other parties on that roadway.

SB-824-HD-1

Submitted on: 3/17/2019 5:49:39 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Isaac Kaopua	Sbuihi.org	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 7:42:12 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Bott	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 7:55:16 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Deirdra koja	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 10:45:38 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elvin Bumanglag	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/17/2019 10:39:06 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Oliver Avila	Individual	Oppose	No

Comments:

Oppose

SB-824-HD-1

Submitted on: 3/18/2019 4:57:34 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
paul bryant	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 3:36:10 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Harry Lichtenberger	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 6:54:42 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Wyman P Chang	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 7:56:36 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hal Edington	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 8:33:27 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Foster	Street Bikers United	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 9:29:10 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Raikes	Individual	Oppose	No

Comments:

I am strongly opposed to this bill.

The legislature is taking the problem of rental companies allowing totally untrained and unqualified people who rent thier mopeds and turning it into a helmet law. It will not matter if these people are wearing helmets or not, they will continue to make mistakes and put themselves in harms way.

Focus on the problem rather than trying to take away riders freedom!

SB-824-HD-1

Submitted on: 3/18/2019 9:47:36 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
James Ilae	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 10:49:32 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 10:52:19 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonas Troxell	Individual	Oppose	No

Comments:

Please leave the decision to wear, or not wear a helmet in the hands of the operator.

This decision is not for the government and insurance companies.

SB-824-HD-1

Submitted on: 3/18/2019 11:49:55 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Travis	Individual	Oppose	No

Comments:

Oppose

SB-824-HD-1

Submitted on: 3/18/2019 1:49:00 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Scheffer	Individual	Oppose	No

Comments:

To Whom it may concern.

While wearing a helmet may reduce head trauma when involved in an accident, the extra weight increases the chance of a broken neck. However, helmets reduce peripheral vision and hearing, therefore increasing the chance of being involved in an accident in the first place.

Thank You,

Dr. Richard Scheffer PHD, LAC

LATE

SB-824-HD-1

Submitted on: 3/18/2019 5:44:51 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scotty Burgess	Individual	Oppose	No

Comments:

SB-824-HD-1

Submitted on: 3/18/2019 7:33:21 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

LATE

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

Comments:

LATE

SB-824-HD-1

Submitted on: 3/18/2019 7:34:27 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Braanna Kunz	Individual	Oppose	No

Comments:

LATE

SB-824-HD-1

Submitted on: 3/18/2019 9:04:04 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Miller	Individual	Oppose	No

Comments:

sanbuenaventura2 - Kevin

From: donna whiteacre <donnawhiteacre@yahoo.com>
Sent: Monday, March 18, 2019 6:23 AM
To: JUDtestimony
Subject: Lexi's Law SB824

Please pass this law! Thank you.

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Doug-n-Mary Gillen <doug-n-mary@att.net>
Sent: Monday, March 18, 2019 6:36 AM
To: JUDtestimony
Subject: SB824

I, MaryAnn Gillen, request your support for SB824 requiring helmets be worn while renting a moped or scooter. A chance to save a life from head trauma.

Thank you for your consideration.

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Mick Clarke <mick60@gmail.com>
Sent: Monday, March 18, 2019 6:48 AM
To: JUDtestimony
Subject: Hearing for SB824 Lexi Law

Dear Judiciary Committee,

I am writing to humbly request that the Judiciary 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

sanbuenaventura2 - Kevin

From: Jennifer Mercer <lakerwriter@sbcglobal.net>
Sent: Monday, March 18, 2019 7:48 AM
To: JUDtestimony
Subject: Pass Lexi's Law

Hello,

Please pass Lexi's law. Let's preserve life. She is loved by so many.

Thank you,

California Resident and Friend

Sent from my iPhone

sanbuenaventura2 - Kevin

From: George Hibbs <ghibbs@gmail.com>
Sent: Monday, March 18, 2019 12:10 PM
To: JUDtestimony
Subject: Fwd: SB824 Lexi's Law

Dear Committee Members:

I am writing on behalf of Tim and Danielle Jenkins who tragically lost their daughter in a moped accident in August of 2017. I had the good fortune of meeting them in December of 2017 and heard their heartbreaking story first hand.

I believe that no-one should have to bury their child, especially in a manner that is totally preventable as was in this case.

If people are unable to make healthy decisions to protect themselves, I believe that government has a duty of care to enforce just laws to protect its citizens.

I urge you to throw your full support behind SB824 Lexi's Law that has such potential to save lives.

Respectfully yours,

George Hibbs

sanbuenaventura2 - Kevin

From: jennifer martin <jenn_martin01@hotmail.com>
Sent: Monday, March 18, 2019 11:14 AM
To: JUDtestimony
Subject: SB24 Lexi Law

I want to make sure that my testimony will be heard at the hearing for SB24 We are in favor of this law If it saves 1 Life that would be Wonderful

Thank you
Jennifer Martin

Sent from my iPhone

LATE

SB-824-HD-1

Submitted on: 3/18/2019 4:56:27 PM
Testimony for JUD on 3/19/2019 2:05:00 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.

LATE

SB-824-HD-1

Submitted on: 3/18/2019 5:34:42 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

This law will help save lives and minimize head trauma caused during accidents. Please pass this important law.

Thank you

LATE

SB-824-HD-1

Submitted on: 3/18/2019 6:03:25 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

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

Comments:

I support SB824 because my family lost a special piece of its heart. Alexis Jenkins, the namesake of this bill visited the beautiful islands of Hawaii and never returned to her family because she was killed in a moped accident and wasn't wearing a helmet. We will never know if a helmet could have made the difference between life and death for Lexi, but it is indisputable that helmets save lives. I never knew Lexi in person, but I was inspired and moved by her. She lived her life to the fullest and even in death, she is making a difference. I have seen firsthand the devastation and pain Lexi's death has caused and having lost my own brother in a car accident, I understand it all too well. Having a helmet law in Hawaii won't change the past but it can save lives in the future, and if even one life is saved and one family spared the pain of loss this bill is worth it.

Thank you.

sanbuenaventura2 - Kevin

From: Erika Hommel <erikahommel@gmail.com>
Sent: Monday, March 18, 2019 9:47 AM
To: JUDtestimony

Hello!

I am REQUESTING A HEARING BE SCHEDULED IN THE JUDICIARY COMMITTEE ON LEXI'S LAW SB824.

Thank you!

Erika Hommel

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Randall Simpson <mrrandallsimpson@gmail.com>
Sent: Monday, March 18, 2019 9:43 AM
To: JUDtestimony
Subject: Lexi 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 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..... "Isn'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

sanbuenaventura2 - Kevin

From: Pamela Dobson <moosedoggermonster@gmail.com>
Sent: Monday, March 18, 2019 9:21 AM
To: JUDtestimony
Subject: Lexi law SB824

Hello

Please pass sb824.
Lexis life might have been spared if she was wearing a helmet.

Regards
Pamela Dobson

sanbuenaventura2 - Kevin

From: Katy Sauer <katesauer21@gmail.com>
Sent: Monday, March 18, 2019 9:10 AM
To: JUDtestimony
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

sanbuenaventura2 - Kevin

From: Tim Reeves <tjr1960@icloud.com>
Sent: Monday, March 18, 2019 8:51 AM
To: JUDtestimony
Subject: SB824

I support this bill SB824. I feel it to be an important life-saving proaction for many!

Thank you
Tim Reeves

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Karin Reeves <karindcox@icloud.com>
Sent: Monday, March 18, 2019 8:46 AM
To: JUDtestimony
Subject: SB824

I'm Requesting that SB824

To be heard at a judiciary hearing.

I support this bill!!

I feel it to be an important life saving Proaction for many.

As a mother and a humane I see the opportunity of surviving Head trauma with a helmet vs not wearing one!! Let's give life a fighting chance where's there's a possibility!!

Thank you

Karin Reeves

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Monica Keller <monicakeller3@gmail.com>
Sent: Monday, March 18, 2019 8:24 AM
To: JUDtestimony
Subject: Representative LEE

March 18, 2019

Representative Chris Lee
Chair Judiciary
Hawaii State Capitol, Room 436
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Lee,

I am submitting this testimony in support of SB331 HD1, which will permanently require open captioning at movie theaters in Hawaii.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a "captioning box," which is placed in an attendee's cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

Monica Keller

--

Monica A. Keller,
B.A. Deaf Studies/Linguistics
, GU12'
M.A. Sign Language Education, GU19'

San Diego, California, USA
monica.keller@gallaudet.edu
Pronouns: *She/Her/Hers*

sanbuenaventura2 - Kevin

From: Jessica Marciel <jessicamarciel2009@gmail.com>
Sent: Monday, March 18, 2019 8:23 AM
To: JUDtestimony
Subject: Testimony on Lexieslaw808

Alexis Jenkins. Moped helmet law

S&Bbillnumber=824&year 2019

Lexi was a force of nature. She fed the homeless home made food every Friday by driving her truck with friends handing out water and food. She was smart and in college to be a researcher, and she was beautiful and kind.

I miss her so very much and wish this was all a bad nightmare. ‘

WQe just dont want her death to be in vain,, Please pass the Moped helmet law,,, anyone on the road should be more protected

Thank you so much. Jessica Marciel 702-809-5202. jessicamarciel2009@gmail.com

sanbuenaventura2 - Kevin

From: Nicole Novellino <nicole.novellino@gmail.com>
Sent: Monday, March 18, 2019 7:58 AM
To: JUDtestimony
Subject: Lexis law

To whom it May Concern:

I writing in support of Lexi's Law. The loss of another young person is tragic especially with the knowledge of helmets protecting the brain from head injuries. There are helmet laws nationwide and Lexi would have had a chance of surviving the impact of her accident.

Lexi was a rising star and left behind parents at a very young age. Everyone deserves a chance with the highest level of safety to be enforced by laws to protect the public.

Sincerely,

Nicole T. Novellino

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Jennifer Mercer <lakerwriter@sbcglobal.net>
Sent: Monday, March 18, 2019 7:48 AM
To: JUDtestimony
Subject: Pass Lexi's Law

Hello,

Please pass Lexi's law. Let's preserve life. She is loved by so many.

Thank you,

California Resident and Friend

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Kelsey Galema <galema.kelsey@yahoo.com>
Sent: Monday, March 18, 2019 12:44 PM
To: JUDtestimony
Subject: SB824

I support SB824!

Sent from my iPhone

sanbuenaventura2 - Kevin

From: ashlie shaw <ashlieshaw48@gmail.com>
Sent: Monday, March 18, 2019 12:43 PM
To: JUDtestimony
Subject: SB824

I support SB824

Ashlie Shaw

sanbuenaventura2 - Kevin

From: Taylor Stevens <taylor_stevens001@icloud.com>
Sent: Monday, March 18, 2019 12:42 PM
To: JUDtestimony
Subject: SB824

I support SB824!!!!!!!!!!

Sent from my iPhone

sanbuenaventura2 - Kevin

From: Isabel Mejia <isangel0709@icloud.com>
Sent: Monday, March 18, 2019 12:18 PM
To: JUDtestimony
Subject: Bill 331 HD1

SENATE BILL 331 HD1 TESTIMONY TO THE HOUSE COMMITTEE

March 15, 2019

Representative Chris Lee
Chair Judiciary
Hawaii State Capitol, Room 436
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Lee,

I am submitting this testimony in support of SB331 HD1, which will permanently require open captioning at movie theaters in Hawaii.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a "captioning box," which is placed in an attendee's cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

Isabel Mejia Ramos

Sent from my iPhone