

STAND. COM. REP. NO.

1847

Honolulu, Hawaii

, 2021

APR 09

RE: S.B. No. 615
S.D. 1
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 615, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the definition of "motor scooter" under the Hawaii Highway Safety Act and the Statewide Traffic Code;
- (2) Require all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the company or the renter, except for riders with a motorcycle license; and
- (3) Prohibit the rental of any moped or motor scooter with aftermarket modifications.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and numerous individuals. Your Committee received comments on this measure from AAA Hawaii.

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Your Committee finds that wearing a helmet while operating a moped, powered scooter, or other motorized cycle decreases fatalities and serious injuries. According to the Hawaii Injury Prevention Plan for 2012-2017, published by the Emergency Medical Services and Injury Prevention System Branch of the Department of Health, properly worn helmets prevent deaths and brain injuries. Your Committee further finds that helmets reduce the risk of death by forty-two percent and the risk of a head injury by sixty-nine percent. This measure will require certain moped and motor scooter operators to wear helmets, thereby mitigating fatalities and traumatic brain injuries on Hawaii's roadways and ensuring the safety of residents and visitors.

Your Committee has amended this measure by:

- (1) Prohibiting persons from leasing or renting a moped or motor scooter to another person unless the moped or motor scooter is equipped with a flag; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 615, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



