

Honolulu, Hawaii

FEB 11 2021

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

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 615 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit operating a moped or motor scooter from any rental company unless a person wears a safety helmet; provided that the prohibition does not apply if a person has a valid license from any state to operate a motorcycle; and
- (2) Prohibit the rental of any moped or motor scooter with an aftermarket modification to its motor.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, AAA Hawaii, and thirty-seven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that from 2016 to 2018, there were twenty-three motor scooter and moped operator fatalities, and of the twenty-three fatalities, twenty-two operators were not wearing helmets. Wearing a helmet while operating a moped, powered



scooter, or other motorized cycle decreases fatalities and serious injuries. Your Committee notes that according to the Hawaii Injury Prevention Plan for 2012-2017, published by the Department of Health and the Emergency Services and Injury Prevention System Branch, properly worn helmets can reduce the risk of death by forty-two percent and the risk of a head injury by sixty-nine percent. This measure would require anyone who rents or leases a motor scooter or moped to wear a helmet and will help to reduce motor scooter and moped related fatalities.

Your Committee also encourages your Committee on Commerce and Consumer Protection to examine whether it is prudent to exempt renters who possess a current motorcycle license from the requirement to wear a helmet, should this measure proceed. Additionally, your Committee notes the comments in the testimony of the Honolulu Police Department regarding the difficulty of enforcing the prohibition on aftermarket modifications as actual horsepower measures are never taken.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 615, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



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CHRIS LEE, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation**  
**TRS**

Bill / Resolution No.:* <i>SB 615</i>	Committee Referral: <i>TRS, CPN</i>	Date: <i>2/4/2021</i>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ENGLISH, J. Kalani	✓			
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt		✓		
<b>TOTAL</b>	<i>4</i>	<i>1</i>		

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  
*Lorraine R. Inouye*

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\*Only one measure per Record of Votes