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# A BILL FOR AN ACT

RELATING TO VEHICLES.

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

- 1           SECTION 1. Section 286-12, Hawaii Revised Statutes, is  
2 amended by amending subsections (a) and (b) to read as follows:  
3           "(a) All-terrain vehicles and utility-terrain vehicles may  
4 be operated on a street, as defined in section 291C-1; provided  
5 that the all-terrain vehicle or utility-terrain vehicle is:  
6           (1) Used as farm equipment, or used by a city, county, or  
7           state worker while acting within the scope of that  
8           person's official duties;  
9           (2) Operated by a person who holds a current category (3)  
10           driver's license under section 286-102 or a commercial  
11           driver's license under part XIII;  
12           (3) Driven on streets [~~that are no more than two lanes,~~  
13           with posted speed limits of [~~no~~] not more than  
14           [~~thirty five~~] forty-five miles per hour;  
15           (4) Used to travel between properties zoned for  
16           agriculture, or used by a city, county, or state  
17           worker while acting within the scope of that person's



1 official duties to travel between properties under the  
2 jurisdiction of the city, county, or State;

3 (5) Used in counties with populations of less than five  
4 hundred thousand residents; and

5 (6) Driven on streets during daylight hours; provided  
6 further that all-terrain vehicles may be driven on  
7 streets during evening and night hours only if  
8 equipped with headlights and tail lights; provided  
9 further that while in operation, any operator and  
10 passenger of an all-terrain vehicle or utility-terrain  
11 vehicle [~~shall~~] may wear a safety helmet with a  
12 securely fastened chin strap that meets the  
13 specifications and requirements established by rules  
14 adopted by the director.

15 (b) For purposes of this section:

16 "All-terrain vehicle" means a motor vehicle that:

17 (1) Is designed for off-highway operation by a single  
18 operator carrying no more than one passenger, if so  
19 designed as provided in paragraph (5) of this  
20 definition;

21 (2) Is fifty inches or less in width;



- 1           (3) Has an unladen weight of nine hundred pounds or less;
- 2           (4) Is suspended on three or more tires;
- 3           (5) Has a single seat designed to be straddled by the
- 4                 operator, or a single seat designed to be straddled by
- 5                 the operator and a seat for not more than one
- 6                 passenger sitting behind the operator; and
- 7           (6) Has handlebars for steering control.

8           "Farm equipment" refers to any kind of machinery used on a  
9 farm to help with farming, including but not limited to a  
10 tractor, cultivator, plow, all-terrain vehicle, or utility-  
11 terrain vehicle.

12           "Utility-terrain vehicle" means a motor vehicle that:

- 13           (1) Is designed to be operated off highway;
- 14           (2) Is sixty inches or less in width;
- 15           (3) Has an unladen weight of one thousand three hundred
- 16                 pounds or less;
- 17           (4) Is suspended on four to six tires;
- 18           (5) Has a steering wheel for steering control;
- 19           (6) Is equipped with roll-over protection;



1 (7) Accommodates one driver and one passenger sitting  
2 side-by-side [7], and up to six people in seat belts;  
3 and

4 (8) Is equipped with seat belts for driver and passenger  
5 protection."

6 SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Thom M. Richey

# S.B. NO. 2806

**Report Title:**

All-Terrain Vehicles; Highways; Drivers; Equipment

**Description:**

Allows all-terrain vehicle to drive on streets with posted speed limits of not more than 45 miles per hour. Allows all-terrain vehicles to drive in the evening and night if they are equipped with headlights and tail lights. Allows drivers of all-terrain vehicles to wear a safety helmet with a securely fastened chin strap. Includes in the definition of "utility-terrain vehicle" a motor vehicle that accommodates one driver and one passenger sitting side-by-side, and up to 6 people in seat belts.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

