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## A BILL FOR AN ACT

RELATING TO MOTORCYCLE INSTRUCTION PERMITS.

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

1       SECTION 1. The purpose of this Act is to require, starting  
2 on July 1, 2026, that applicants for a motorcycle instruction  
3 permit successfully complete a basic motorcycle rider course  
4 approved by the department of transportation before becoming  
5 eligible for the permit.

6       SECTION 2. Section 286-110, Hawaii Revised Statutes, is  
7 amended to read as follows:

8       "§286-110 Instruction permits. (a) Any person aged  
9 fifteen years and six months or more who, except for the  
10 person's lack of instruction in operating a motor vehicle, would  
11 be qualified to obtain a driver's license issued under this part  
12 may apply for a temporary instruction permit or a limited  
13 purpose instruction permit at the office of the examiner of  
14 drivers in the county in which the applicant resides; provided  
15 that the applicant complies with section 286-102.5.

16       (b) No person shall be issued a motorcycle instruction  
17 permit unless the person successfully completes a basic

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1 motorcycle rider course approved by the department of  
2 transportation.

3 ~~[(b)]~~ (c) The examiner of drivers shall examine every  
4 applicant for an instruction permit. The examination shall  
5 include tests of the applicant's:

6 (1) Eyesight and other physical or mental capabilities to  
7 determine if the applicant is capable of operating a  
8 motor vehicle;

9 (2) Understanding of highway signs regulating, warning,  
10 and directing traffic; and

11 (3) Knowledge of the traffic laws, ordinances, or  
12 regulations of the State and the county where the  
13 applicant resides or intends to operate a motor  
14 vehicle.

15 ~~[(e)]~~ (d) If the examiner of drivers is satisfied that the  
16 applicant is qualified to receive an instruction permit, the  
17 examiner of drivers shall issue the permit entitling the  
18 applicant, while having the permit in the applicant's immediate  
19 possession, to drive a motor vehicle upon the highways for a  
20 period of one year; provided that:

21 (1) An applicant who is registered in a driver training  
22 course shall be issued a temporary instruction permit

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1 for the duration of the course and the termination  
2 date of the course shall be entered on the permit; and

3 (2) If the applicant is a legal immigrant, the permit  
4 shall expire no later than the applicant's authorized  
5 period of stay in the United States.

6 A person who is not licensed to operate the category of  
7 motor vehicles to which the driving training course applies  
8 shall not operate a motor vehicle in connection with the driving  
9 training course without a valid temporary instruction permit.

10 [~~(d)~~] (e) Except when operating a motor scooter or  
11 motorcycle, the holder of an instruction permit shall be  
12 accompanied by a person who is twenty-one years of age or older  
13 and licensed to operate the category of motor vehicles in which  
14 the motor vehicle that is being operated belongs. The licensed  
15 person shall occupy a passenger seat beside the permit holder  
16 while the motor vehicle is being operated; provided that if the  
17 holder of the instruction permit is under the age of eighteen  
18 years and is driving between the hours of 11:00 p.m. and 5:00  
19 a.m.:

20 (1) A licensed driver who is the permit holder's parent or  
21 guardian shall occupy a passenger seat beside the

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1 driver while the motor vehicle is operated, unless the  
2 permit holder is an emancipated minor;

3 (2) The licensed driver shall be licensed to operate the  
4 same category of motor vehicles as the motor vehicle  
5 being operated by the holder of the instruction  
6 permit; and

7 (3) All occupants of the motor vehicle shall be restrained  
8 by a seat belt assembly or a child passenger safety  
9 restraint system as required under sections 291-11.5  
10 and 291-11.6, notwithstanding any other law to the  
11 contrary.

12 [~~(e)~~] (f) No holder of a temporary instruction permit shall  
13 operate a motorcycle or a motor scooter during hours of darkness  
14 or carry any passengers.

15 [~~(f)~~] (g) No holder of a category 1 or 2 temporary  
16 instruction permit shall have the permit renewed, nor shall the  
17 holder be issued another temporary instruction permit for the  
18 same purpose, unless the holder has taken the examination for a  
19 category 1 or 2 license at least once prior to the expiration of  
20 the temporary instruction permit. If the holder of a temporary  
21 instruction permit fails to meet the requirements of this  
22 section, the holder shall not be permitted to apply for another

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1 category 1 or 2 temporary instruction permit for a period of  
2 three months. Nothing in this subsection shall affect the right  
3 and privilege of any holder of a category 1 or 2 temporary  
4 instruction permit to obtain a temporary instruction permit or  
5 driver's license for the operation of any other type of motor  
6 vehicle.

7 ~~[(g)]~~ (h) The examiner of drivers may accept an application  
8 for renewal of an instruction permit no more than thirty days  
9 prior to or ninety days after the expiration date of the  
10 instruction permit, whereupon the applicant for renewal of an  
11 instruction permit shall be exempt from subsection ~~[(b)(2) and~~  
12 ~~(3)]~~ (c)(2) and (3). If an application for renewal of an  
13 instruction permit is not made within ninety days after the  
14 expiration date of the permit, the applicant shall be treated as  
15 applying for a new instruction permit and examined in accordance  
16 with subsection ~~[(b)]~~ (c).

17 ~~[(h)]~~ (i) Notwithstanding any other law to the contrary,  
18 the examiner of drivers may issue an instruction permit to an  
19 applicant with a disability who has completed a medical review  
20 with this State, and as a condition to licensure is required to  
21 pass a road test, but has failed the road test on the  
22 applicant's first attempt. The instruction permit issued under

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1 this subsection may be renewed no more than thirty days prior to  
2 or ninety days after the expiration date of the instruction  
3 permit upon receiving an updated medical report. Subsections  
4 [~~(b)(2) and (3)~~] (c)(2) and (3) shall not apply to the issuance  
5 or renewal of an instruction permit issued under this  
6 subsection.

7 For the purposes of this subsection, "applicant with a  
8 disability" means an applicant who the examiner of drivers has  
9 reasonable cause to believe may have a mental or physical  
10 infirmity or disability that would make it unsafe to operate a  
11 motor vehicle pursuant to section 286-119(a)(1) and has been  
12 medically evaluated by the medical advisory board established  
13 pursuant to section 286-4.1."

14 SECTION 3. This Act shall not apply to applicants who  
15 submit applications for a motorcycle instruction permit before  
16 its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

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1       SECTION 5. This Act, upon its approval, shall take effect  
2 on July 1, 2026.

3  
4                                   INTRODUCED BY: Nedra K. Parker

5                                                           BY REQUEST

JAN 21 2025

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**Report Title:**

DOT; Motorcycle Instruction Permits; Basic Motorcycle Rider Course

**Description:**

Starting on July 1, 2026, requires all applicants for a motorcycle instruction permit to successfully complete a basic motorcycle rider course approved by the Department of Transportation before becoming eligible for the permit.

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



## JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO MOTORCYCLE INSTRUCTION PERMITS.

PURPOSE: To require completion of a basic motorcycle rider course before receiving a motorcycle instruction permit.

MEANS: Amend section 286-110, Hawaii Revised Statutes

JUSTIFICATION: From 2019 to 2023, there were 123 motorcycle fatalities on Hawaii's roadways. Of those, 63 did not have a motorcycle license.

To improve safety, the Department proposes to require that all applicants seeking a motorcycle instruction permit complete a basic motorcycle rider course approved by the Department before being issued a motorcycle instruction permit.

Impact on the public: The bill would have a positive impact on traffic safety for motorcycle riders and all other roadway users by mandating a basic rider course prior to receiving a motorcycle instruction permit.

Impact on the department and other agencies: The bill would reduce motorcycle fatalities and crashes on Hawaii's roadways.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN 597

OTHER AFFECTED AGENCIES: City and County of Honolulu; Hawaii County; County of Maui; County of Kauai

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EFFECTIVE DATE: July 1, 2026.