

ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

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GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

February 10, 2012

The Honorable Joseph M. Souki, Chair
And Members of the Committee on Transportation
House of Representative
State Capitol
Honolulu, HI 96813

RE: HB No. 2277, RELATING TO ALL-TERRAIN VEHICLES

Dear Chair Souki and Members of the Committee:

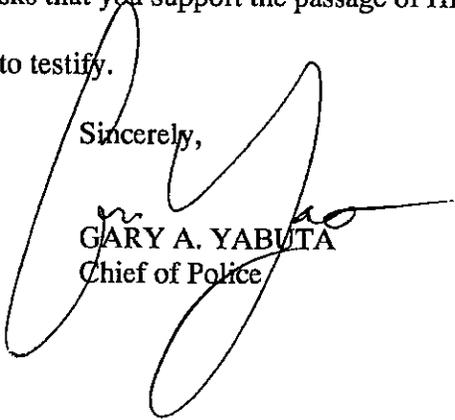
The Maui Police Department supports the passage of HB No. 2277. The passage of this bill prohibiting minors from using all-terrain vehicles, prohibiting all-terrain vehicles on public roadways, prohibiting passengers from riding on all-terrain vehicles, prohibiting all-terrain vehicles between sunset and sunrise, and finally, prohibiting the use of all-terrain vehicles without a helmet, is a long overdue bill that the Maui Police Department is willing to support with amendments relating to exceptions for law enforcement and emergency personnel usage.

The Maui Police Department currently has in its inventory specialty vehicles (ATV's) for patrolling inaccessible areas of the island. There are times when these vehicles may briefly operate on a public roadway, or may operate between sunset and sunrise, along with conducting an emergency transport of passengers or equipment during special circumstances. We would respectfully request that this type of language be added to this bill to prevent any operational conflict for law enforcement and other emergency personnel that may utilize ATV's for a similar function.

The Maui Police Department asks that you support the passage of HB No. 2277.

Thank you for the opportunity to testify.

Sincerely,


GARY A. YABUTA
Chief of Police

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 10:15 AM
To: TRNtestimony
Cc: judirod@hawaii.rr.com
Subject: Testimony for HB2277 on 2/13/2012 9:00:00 AM

Testimony for TRN 2/13/2012 9:00:00 AM HB2277

Conference room: 309
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: JUDITH ROD
Organization: STREET BIKER'S UNITED
E-mail: judirod@hawaii.rr.com
Submitted on: 2/10/2012

Comments:

THIS BILL IS UNCONSTITUTIONAL, PRIVATE PROPERTY IS PRIVATE PROPERTY. LAW ENFORCEMENT CANNOT ENTER PRIVATE PROPERTY WITHOUT A WARRANT OR PROBABLE CAUSE. THERE IS A LAW IN PLACE THAT NO TERRAIN UNLICENSED VEHICLE ARE NOT ALLOWED ON THE STREET. AND THIS BILL OBSTRUCTS MY RIGHTS AS A PARENT.

From: Tim Ruel [mailto:timruel@gmail.com]
Sent: Sunday, February 12, 2012 5:05 AM
To: Rep. Joseph Souki; Rep. Linda Ichiyama
Cc: Glenn.Okimoto@hawaii.gov
Subject: Hearing this Monday

Aloha Rep. Souki,

HB2277 wisely prevents children under 16 from riding all-terrain vehicles and will be heard by the state House TRN committee this Monday, tomorrow. Reality and science provide strong support for this bill. The U.S. Consumer Product Safety Commission released its Annual Report of ATV-Related Deaths and Injuries on December 19, 2011. Two major findings:

1. **In 2010, ATVs killed at least 55 children younger than 16, accounting for 17 percent of fatalities. Forty seven percent of children killed were younger than 12 years old.**
2. **Children under 16 suffered an estimated 28,300 serious injuries in 2010 – or 25 percent of all injuries. In 2009, serious injuries to children also made up 25 percent of all injuries.**

(Note that there is a lag with death reports to the CPSC. **For example, when child death statistics for the year 2006 were first reported in 2007, the number stood at 111; since that time, additional data collection has increased that number to 143.**) “Simply put, ATVs are dangerous to children,” said Robert Block, MD, FAAP, president of the American Academy of Pediatrics. “Children are not developmentally capable of operating these heavy, complex machines. The American Academy of Pediatrics warns all parents that no child under the age of 16 should drive or ride an ATV.”

The U.S. Consumer Product Safety Commission also recommends the following for adults who ride ATVs:

1. **All** ATV users should take a hands-on safety training course.
2. **Always** wear a helmet and safety gear such as boots and gloves while on an ATV.
3. **Never** drive a youth or single-rider adult ATV with a passenger, and never ride these vehicles as a passenger.

Mahalo,

Tim Ruel

LATE TESTIMONY

Dear Representatives,

My name is Elaine Kaneshiro and I am a Crisis/Trauma nurse employed at one of the local hospitals, and I am also a student working toward my advanced practice nurse degree. In my job I collaborate with the trauma team to stabilize critically injured patients, an increasing number of whom are un-helmeted riders injured in motorcycle and moped crashes.

Even with 19+ years of experience I have never gotten used to seeing the devastation on the faces of families and friends at the loss of their loved one because of the severity of injuries, and especially head injuries. Likewise, memories remain with me of seeing the sadness and disillusionment of family members coming to grips with the knowledge that their loved one will likely never achieve their dreams or live to their full potential. I have witnessed many families trying to cope with the long-term effects of a loved one's permanent physical, behavioral, and cognitive changes that resulted from head trauma.

Recently there has been an increased incidence of individuals who died or were critically injured in accidents while riding an all terrain vehicle (ATV) and wearing no helmet. Many of these deaths were likely preventable as the individuals' other injuries were less severe.

The cost to families of head-injured patients is financial, mental, physical, and emotional. Many families may not be financially capable of caring for their loved ones after a Traumatic Brain Injury. In a recent year, the hospital bills alone for caring for un-helmeted, head injured motorcycle and moped, and ATV patients totals close to 2 million dollars of taxpayer dollars in the form of Medicaid/Medicare. **The number of head injury incidents and cost to taxpayers could decrease, if a helmet law was enacted.** Bones, skin, and muscles will heal, but once the brain is injured, the person will never be the same.

Please listen to and pass **HB 2277** and take a stand to make the community and those individuals safe from themselves. We can control ourselves, but have no control over the environment and the action of others. No matter how defensive, driving an open vehicle with no safety features included, and not equipped for multiple passengers have lead to preventable incidences of death and injury. **“Children and young adolescents lack the knowledge, physical, size and strength, cognitive and motor skills to operate an ATV”** (Concerned families for ATV Safety, 2007). They may be injured by poor road conditions or inattentive drivers, and therefore having a helmet would increase their chances of survival and possibly decrease the severity of a head injury.

If you would like to further discuss this matter, please do not hesitate to contact me and we can arrange a meeting.

Respectfully,

Elaine Kaneshiro

Email: tobyMK95@gmail.com

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 8:05 PM
To: TRNtestimony
Cc: momo.modus@gmail.com
Subject: Testimony for HB2277 on 2/13/2012 9:00:00 AM

Testimony for TRN 2/13/2012 9:00:00 AM HB2277

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Laura Mo
Organization: Individual
E-mail: momo.modus@gmail.com
Submitted on: 2/12/2012

Comments:

I currently work with a local company that gives ATV tours and I support HB2277. My company already prohibits children under 16 from riding ATVs and we also require all riders to wear helmets. We have these restrictions because the safety of our customers is the highest priority. This bill would make it safer for people who use ATVs for recreation but do not have the same requirements that we do. I hope you pass HB2277.

ichiyama1 - Curi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:38 AM
To: TRNtestimony
Cc: YUSHIU@AOL.COM
Subject: Testimony for HB2277 on 2/13/2012 9:00:00 AM

Testimony for TRN 2/13/2012 9:00:00 AM HB2277

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: YUSHIU
Organization: Individual
E-mail: YUSHIU@AOL.COM
Submitted on: 2/13/2012

Comments: