

STAND. COM. REP. NO.

2158

Honolulu, Hawaii

FEB 11 2014

RE: S.B. No. 2726  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,  
to which was referred S.B. No. 2726 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to allow an all-terrain vehicle (ATV) to be driven on a street if the ATV is being used as farm equipment, if the operator holds a current category (3) license or a commercial driver's license, and if the operator and passengers wear safety helmets secured with a chin strap.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Hamakua County Farm Bureau; Hawaii's Agricultural Partnerships; and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation, Honolulu Police Department, and Maui Police Department.

Your Committee finds that the regulation of ATVs is a matter of public safety. According to the United States Consumer Product Safety Commission, an estimated 135,100 ATV-related injuries were treated in hospital emergency rooms nationwide in 2008. In addition, there were 9,633 reported deaths between 1982 and 2008, with fourteen of those deaths occurring in Hawaii. Your Committee believes that the use of ATVs is particularly dangerous for minors.



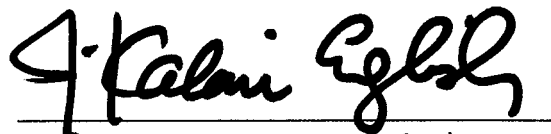
Your Committee was informed in testimony that a new type of agricultural equipment being used is the utility-terrain vehicle. Many farms and ranches are split up by public roads. Utility-terrain vehicles make it possible for farmers and ranchers to drive from one part of the farm or ranch to another part, which is either across the road or within a mile or two. Using the same piece of equipment in the field to travel on a street from one part of the farm or ranch to another is a matter of practicality and convenience to farmers and ranchers.

Your Committee has amended this measure by:

- (1) Applying this measure to "utility-terrain vehicles" in addition to ATVs and defining the term "utility-terrain vehicle"; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2726, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation and  
International Affairs,

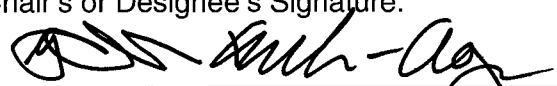


J. KALANI ENGLISH, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation and International Affairs**  
**TIA**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2726	TIA, JDL	02-06-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
DELA CRUZ, Donovan M. (VC)	✓			
ESPERO, Will				✓
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>6</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes