

STAND. COM. REP. NO. 2579

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 2726
S.D. 2

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2726, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require an all-terrain vehicle (ATV) or utility-terrain vehicle (UTV) to be operated if:
 - (A) The ATV or UTV is used as farm equipment;
 - (B) The ATV or UTV is operated on a street in conjunction with use as farm equipment;
 - (C) The operator holds a current category (3) license or a commercial driver's license; and
 - (D) The operator and passengers wear safety helmets secured with a chin strap;
- (2) Add definitions of "all-terrain vehicle", "farm equipment", and "utility-terrain vehicle"; and
- (3) Establish a fine of \$250 for a violation.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Maui County Farm Bureau, and Hawaii

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Cattlemen's Council, Inc. Your Committee received testimony in opposition to this measure from the Department of Transportation; Police Department, City and County of Honolulu; and Police Department, County of Maui.

Your Committee finds that ATVs and UTVs are important vehicles for farmers and ranchers to traverse through rough terrain. Since farms and ranches are often separated by sections of public roadways, this measure allows ATVs and UTVs to be operated as farm equipment on streets while establishing operating guidelines to ensure safety.

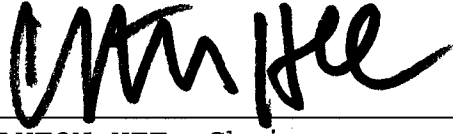
Your Committee has amended this measure by:

- (1) Adopting language suggested by the Hawaii Cattlemen's Council to add that the ATV or UTV shall be:
 - (A) Driven on streets that are no more than two lanes with posted speed limits of no more than thirty-five miles per hour;
 - (B) Used to travel between properties zoned for agriculture;
 - (C) Used in counties with populations of less than five hundred thousand residents; and
 - (D) Driven on streets during daylight hours;
- (2) Allowing, rather than requiring, for the operation of an ATV and UTV as farm equipment on a street; and
- (3) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2726, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2726, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2726 SD1	TIA, JDL	2/24/14		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes