
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§286- All-terrain vehicle; utility-terrain vehicle;
5 permitted use. (a) All-terrain vehicles and utility-terrain
6 vehicles may be operated on a street, as defined in section
7 291C-1; provided that the all-terrain vehicle or utility-terrain
8 vehicle is:

- 9 (1) Used as farm equipment, or used by a city, county, or
10 state worker while acting within the scope of that
11 person's official duties;
- 12 (2) Operated by a person who holds a current category (3)
13 driver's license under section 286-102 or a commercial
14 driver's license under part XIII;
- 15 (3) Driven on streets that are no more than two lanes,
16 with posted speed limits of no more than thirty-five
17 miles per hour;



- 1 (4) Used to travel between properties zoned for
2 agriculture, or used by a city, county, or state
3 worker while acting within the scope of that person's
4 official duties to travel between properties under the
5 jurisdiction of the city, county, or state;
- 6 (5) Used in counties with populations of less than five
7 hundred thousand residents; and
- 8 (6) Driven on streets during daylight hours; provided
9 further that while in operation, any operator and
10 passenger of an all-terrain vehicle or utility-terrain
11 vehicle shall wear a safety helmet with a securely
12 fastened chin strap that meets the specifications and
13 requirements established by rules adopted by the
14 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;
- 22 (3) Has an unladen weight of nine hundred pounds or less;



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

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

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

- 12 (1) Is designed to be operated off highway;
- 13 (2) Is sixty inches or less in width;
- 14 (3) Has an unladen weight of one thousand three hundred
- 15 pounds or less;
- 16 (4) Is suspended on four to six tires;
- 17 (5) Has a steering wheel for steering control;
- 18 (6) Is equipped with roll-over protection;
- 19 (7) Accommodates one driver and one passenger sitting
- 20 side-by-side; and
- 21 (8) Is equipped with seat belts for driver and passenger
- 22 protection.



1 (c) Any person who violates this section shall be fined
2 \$250 for each violation.

3 (d) All-terrain vehicles and utility-terrain vehicles used
4 as farm equipment shall be regulated as farm equipment and not
5 as motor vehicles.

6 (e) All-terrain vehicles and utility-terrain vehicles used
7 by a city, county, or state worker while acting within the scope
8 of that person's official duties shall not be regulated as motor
9 vehicles."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.



Report Title:

All-terrain Vehicles; Utility-terrain Vehicles; Permitted Use

Description:

Allows all-terrain vehicles (ATV) and utility-terrain vehicles (UTV) used as farm equipment or in the course of official city, county, or state business to be driven on a street if certain conditions are met. Provides that ATVs and UTVs used as farm equipment or in the course of official city, county, or state business shall not be regulated as motor vehicles. Establishes a penalty for a violation. (SB2726 HD1)

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

