

STAND. COM. REP. NO. 3599

Honolulu, Hawaii

APR 08 2016

RE: H.B. No. 1753
H.D. 3
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 1753, H.D. 3, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOPEDS,"

begs leave to report as follows:

The purpose and intent of this measure is to improve public safety by strengthening regulations regarding mopeds.

Specifically, this measure:

- (1) Requires the Director of Finance to issue a moped number plate and tag or emblem upon payment of fees;
- (2) Requires an owner of a moped to affix the number plates and tag or emblem to the owner's moped;
- (3) Prohibits the unauthorized transfer of current number plates, tags, and emblems for mopeds;
- (4) Subjects mopeds to annual certificate of inspection requirements;
- (5) Prohibits a person from operating or parking any moped on a public highway, without a current official certificate of inspection;



- (6) Prohibits a person from operating a moped that is not in good working order on any highway;
- (7) Extends to mopeds certain police powers regarding the inspection of vehicles believed to be unsafe or without required equipment; and
- (8) Includes adults in the safety helmet requirement currently imposed upon minors driving a moped.

Your Committee received written comments in support of this measure from the Department of Transportation; Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5; Pearl City Neighborhood Board No. 21; the Moped Noise Mitigation Working Group; and six individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from one individual.

Your Committee recognizes the rising use of mopeds as a lower-priced transportation alternative to motor vehicles. According to the City and County of Honolulu, the number of registered mopeds in Honolulu increased every year between 2006 and 2012. Your Committee also recognizes that many individuals have expressed concerns regarding mopeds' impact on traffic safety because of substandard or altered equipment found on many mopeds. Moreover, your Committee notes that concerns regarding noise, speeding, and the ability to enforce penalties are major concerns in communities statewide. Accordingly, your Committee finds that requiring mopeds to undergo the same registration and safety inspection requirements that are imposed on motor vehicles would help address these situations and allow law enforcement to ensure safety statewide.

However, your Committee notes that much work still needs to be done to achieve a workable final conference draft. Your Committee believes that the counties should take the lead in registering mopeds and, further, notes its concern that, as presently worded, this measure might prohibit riding a moped without a registration before the new registration system is established. Accordingly, in preparation for Conference on this measure, your Committee requests that the subject matter



committees and the measure's proponents address the following issues and concerns:

- (1) Determine, in consultation with the Department of Transportation and the various counties, the specific costs, timeframe, and transition period necessary for the implementation of this measure;
- (2) Determine what current moped fees and rules, if any, are presently in place in the various counties with populations of less than 500,000;
- (3) Consider the potential impact this measure may have on the tourism industry, since many visitors rent mopeds;
- (4) Consider whether the scope of the measure should be limited to counties with populations of 500,000 or more; and
- (5) Address concerns that the measure may need to be amended to harmonize the measure's use of the terms "vehicle" and "moped" in sections 286-22 and 286-26, Hawaii Revised Statutes, and determine what conforming amendments may need to be made to other chapters of the Hawaii Revised Statutes, including: Chapter 249 (County Vehicle Taxes) regarding number plates; Chapter 291C (Statewide Traffic Code) regarding moped inspections; and Chapter 431 (Insurance Code).

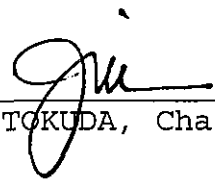
Your Committee has amended this measure by:

- (1) Changing the registration fee from an unspecified amount to \$50 per year, the amount inserted in H.B. No. 1753, H.D. 1, by the House Committee on Transportation; and
- (2) Deleting the amendment that would have required adults to wear a safety helmet when operating a moped.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1753, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1753, H.D. 3, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

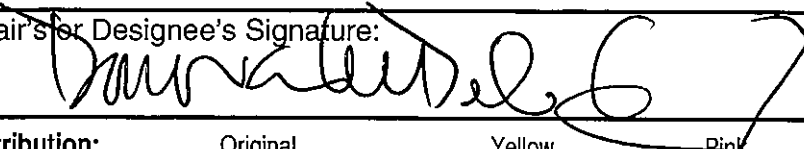


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1753, HD3, SD1	TRE/PSM, WAM	4/7/16		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/	/		WR
GALUTERIA, Brickwood	/			WR
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.	/			/
WAKAI, Glenn	/			/
SLOM, Sam	/			/
TOTAL	7	1		3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes