
A BILL FOR AN ACT

RELATING TO MOPEDS.

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

1 SECTION 1. Mopeds are a cheaper alternative to driving a
2 vehicle. According to the city and county of Honolulu, the
3 number of registered mopeds in Honolulu increased every year
4 between 2006 and 2012. Additionally, there were three hundred
5 fifty-four mopeds involved in major traffic accidents on public
6 roadways in 2012.

7 The legislature finds that public safety is a State
8 priority. Accordingly, the purpose of this Act is to increase
9 public safety by, among other things:

- 10 (1) Requiring the director of finance to issue moped
11 number plates;
- 12 (2) Prohibiting the use on public roadways of a moped that
13 is not in good working order;
- 14 (3) Extending certain police powers dealing with vehicle
15 inspections to include mopeds; and
- 16 (4) Requiring annual registration for all mopeds.



1 SECTION 2. Chapter 249, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§249- Mopeds; number plates. (a) Each moped shall be
5 issued a number plate upon payment of the initial annual
6 registration fee pursuant to section 249-14.

7 (b) The director shall adopt rules pursuant to chapter 91
8 regarding the regulation and specification of moped number
9 plates.

10 §249- Fraudulent use of moped number plates; penalties.
11 Any person who manufactures, sells, or distributes moped number
12 plates of a design and size similar to the currently issued
13 series of number plates authorized by the director of finance,
14 or who attaches to and uses on any moped plates not furnished in
15 accordance with rules adopted by the director, or who
16 fraudulently uses such number plates upon any moped other than
17 the one for which the number plates were issued, or who molests
18 or disturbs any moped which has been seized, shall be fined not
19 more than \$500."

20 SECTION 4. Section 249-14, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) Bicycles having two tandem wheels that are twenty
2 inches or more in diameter [~~and all mopeds~~] are required to be
3 registered and shall be subject to a permanent registration fee
4 of \$15[7] to be paid by the owners thereof to the director of
5 finance. All mopeds are required to be registered annually and
6 shall be subject to a registration fee of \$50 to be paid to the
7 director of finance."

8 SECTION 5. Chapter 286, Hawaii Revised Statutes, is
9 amended by amending the title of part II to read as follows:

10 "PART II. INSPECTION OF VEHICLES AND MOPEDS"

11 SECTION 6. Section 286-21, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "§286-21 Vehicles and mopeds without required equipment or
14 in unsafe condition. No person shall drive or cause to move on
15 any highway any motor vehicle, moped, trailer, semitrailer, or
16 pole trailer, or any combination thereof, unless the equipment
17 thereon is in good working order and adjustment as required in
18 this part [~~so as not to~~] and does not endanger the driver [~~or~~],
19 any other occupant, or any person [~~upon~~] on the highway."



1 SECTION 7. Section 286-22, Hawaii Revised Statutes, is
2 amended by amending subsections (a) through (c) to read as
3 follows:

4 " (a) [~~The chief of police or any police officer of any~~
5 ~~county may, at]~~ At any time when the chief of police or a police
6 officer has reasonable cause to believe that a vehicle or moped
7 is unsafe or not equipped as required by law, the chief of
8 police or any police officer of any county may require the owner
9 or driver of the vehicle or moped to submit the vehicle or moped
10 to an inspection or make the necessary corrections or repairs.

11 (b) If the vehicle or moped is found to be in an unsafe
12 condition or if any required part or equipment is not present or
13 if any required part or equipment is present but not in proper
14 repair, the officer shall issue a citation to the owner or
15 driver stating the reasons that the vehicle or moped is deemed
16 unsafe or not equipped as required and shall require that a new
17 certificate of inspection as provided in section 286-26 be
18 obtained within five days or that the defect be cured.

19 (c) If upon inspection, the chief of police or any police
20 officer determines that any vehicle or moped is in such unsafe
21 condition as to constitute a menace to the public or determines



1 that the moped is not equipped as required in this part and
 2 cannot reasonably be restored to a safe condition or with
 3 respect to mopeds, equipped as required in this part, the chief
 4 of police or police officer shall remove the sticker [which]
 5 that signifies the certificate of inspection and, with regard to
 6 vehicles, inform the director of finance, who shall [~~forthwith~~]
 7 immediately suspend the registration of the vehicle and give
 8 notice of the suspension to its owner. Whenever the director of
 9 finance has suspended the registration of any vehicle under this
 10 part, the owner of the vehicle shall immediately surrender and
 11 forward to the director of finance the certificate of
 12 registration and the license plates last issued upon
 13 registration of the vehicle for the current year."

14 SECTION 8. Section 286-23, Hawaii Revised Statutes, is
 15 amended by amending subsection (b) to read as follows:

16 "(b) No person shall operate any vehicle or moped after
 17 receiving a citation with reference thereto as provided in
 18 section 286-22(b), except that if the driver is authorized to do
 19 so by the police officer, the driver may return the vehicle or
 20 moped to the driver's residence or place of business or the
 21 residence or place of business of the owner of the vehicle [~~7~~] or



1 moped, or to an automotive repair shop, if within a distance of
2 twenty miles, until a certificate of inspection is obtained or
3 the necessary corrections or repairs are made."

4 SECTION 9. Section 286-24, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§286-24 [~~Registered owner's responsibility; registration~~
7 ~~plates as prima facie evidence as to the fault of the registered~~
8 ~~owner.] Responsibility of owner or operator for violation. In
9 any proceeding for violation of this part [~~the~~]:~~

10 (1) The registered owner of a vehicle or moped shall be
11 deemed responsible for the unsafe condition of the
12 vehicle[-] or moped; and

13 (2) The registered owner or operator of a moped shall be
14 deemed responsible for the failure to equip the moped
15 as required by law."

16 SECTION 10. This Act does not affect rights and duties
17 that matured, penalties that were incurred, and proceedings that
18 were begun before its effective date.

19 SECTION 11. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 12. This Act shall take effect on January 1, 2017.



Report Title:

Mopeds; Registration; Safety Inspections

Description:

Requires the Director of Finance to issue moped number plates.
Requires annual registration of mopeds. Stipulates registration
fee for a moped shall be \$50. (HB1753 HD2)

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