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# A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATIONS.

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

1           SECTION 1. The legislature finds that the current language  
2 in section 291C-194, Hawaii Revised Statutes, has created  
3 confusion for law enforcement regarding its applicability. This  
4 section relates specifically to moped operation and the  
5 requirement to possess and present a valid driver's license upon  
6 request by a police officer. Section 291C-194, Hawaii Revised  
7 Statutes, is necessary to define the immediate license  
8 possession requirement specifically for moped operation and  
9 aligns with the same requirement for operators of all other  
10 motor vehicles covered under section 286-116, Hawaii Revised  
11 Statutes.

12           The legislature recognizes, however, that section 291C-194,  
13 Hawaii Revised Statutes, could also be interpreted to conflict  
14 with section 286-102, Hawaii Revised Statutes, which requires a  
15 driver of a moped to be properly licensed to operate a moped.

16           Accordingly, the purpose of this Act is to amend section  
17 291C-194, Hawaii Revised Statutes, to clarify that this law



1 relates specifically to the requirement for an operator of a  
2 moped to have in their immediate physical possession their  
3 current driver's license or instruction permit and to present it  
4 to a police officer upon demand.

5 SECTION 2. Section 291C-194, Hawaii Revised Statutes, is  
6 amended by amending the title and subsection (a) to read as  
7 follows:

8 "**§291C-194 Driver's license possession; required.** (a) No  
9 person shall drive a moped unless the person[+]

- 10 ~~(1) Possesses a valid driver's license of any category~~
- 11 ~~listed in section 286-102 or 286-239; and~~
- 12 ~~(2) Meets the requirements of section 286-105(3).]~~

13 is in immediate possession of a valid driver's license or  
14 instruction permit at all times."

15 SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on January 1, 2222.



S.B. NO. 2118  
S.D. 1  
H.D. 2

**Report Title:**

Honolulu Police Department Package; Traffic Code; Moped;  
Driver's License

**Description:**

Requires the driver of a moped to be in immediate possession of  
a valid driver's license or instruction permit at all times.  
Effective 1/1/2222. (HD2)

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

2022-2716 SB2118 HD2 HMSO

