

EXECUTIVE CHAMBERS

HONOLULU

April 17, 2002

ORIGINAL

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 748

Honorable Members  
Twenty-First Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 748, entitled "A Bill for an Act Relating to Motorcycle Operator Education."

The purpose of this bill is to amend section 286-108.4, Hawaii Revised Statutes, to provide that military motorcycle operator education programs in Hawaii that (1) meet Motorcycle Safety Foundation standards and (2) are certified by the military installation commander, shall be deemed approved and certified by the director of transportation.

Section 15 of Article III of the State Constitution provides in part as follows:


Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session. Before the carried-over bill is enacted, it shall pass at least one reading in the house in which the bill originated.

This bill carried over from the regular session of 2001 but did not pass at least one reading in its originating house during the regular session of 2002. Therefore, this bill did not meet the requirements of Section 15 of Article III of the State Constitution that apply to carried-over bills and cannot validly become law.

Furthermore, the bill may result in undesirable inconsistencies with current State Department of Transportation (DOT) efforts in this area. The DOT recently adopted administrative rules that establish a fair, equitable, and consistent procedure for program certification. This bill would undermine the intent of these rules by treating the military differently.

For the foregoing reasons, I am returning Senate Bill No. 748 without my approval.

Respectfully,

  
BENJAMIN J. CAYETANO  
Governor of Hawaii