

STAND. COM. REP. NO. 593

Honolulu, Hawaii  
Feb 16, 2007

RE: H.B. No. 349

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B.  
No. 349 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF  
COMMERCIAL BICYCLE TOURS,"

begs leave to report as follows:

The purpose of this bill is to protect the health and safety  
of bicyclists and motorists by authorizing the counties to  
regulate both guided and unguided bicycle tour businesses  
operating on state and county highways, including adopting  
ordinances that regulate the:

- (1) Number of tours;
- (2) Number of bicycles within a tour;
- (3) Scheduling of tours;
- (4) Physical spacing of tours;
- (5) Rules of the road;
- (6) Health and safety requirements;
- (7) Equipment maintenance;
- (8) Driver and guide qualifications;



- (9) Driver and guide drug testing;
- (10) Accident procedures and reporting; and
- (11) Financial responsibility requirements.

The Department of Transportation (DOT) testified in support of the intent of this bill. The Small Business Regulatory Review Board, Maui Downhill, Maui Bicycle Safaris Ltd., Maui Bicycle Tour Association, Cruiser Phil's Volcano Riders, and Maui Mountain Cruisers testified in opposition to this measure.

Current laws do not regulate bicycle tours operating on state or county roadways. While your Committee notes that these tours provide a valuable service to Hawaii's tourism market, many safety and liability concerns have been raised by a number of individuals at both the State and county level. Allowing the counties to adopt ordinances that regulate the operations of these tours provides both safety for the bicyclist and for the motorist using the public roadways.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 349 and recommends that it pass Second Reading and be referred to the Committee on Tourism & Culture.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



---

JOSEPH M. SOUKI, Chair



HSCR 593

Bill/Resolution No.: HB 349		Date: 2-14-07		
Committee Referral: TRN, TAC		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. EVANS, Cindy	/			
4. HAR, Sharon E.	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia				/
7. McKELVEY, Angus L.K.	/			
8. NAKASONE, Bob	/			
9. SONSON, Alex M.	/			
10. TAKAMINE, Dwight Y.	/			
11. TAKUMI, Roy M.	/			
12. MEYER, Colleen Rose				/
13. PINE, Kymberly Marcos	/			
TOTAL	11			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				