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## A BILL FOR AN ACT

RELATING TO HELMET USE BY MINORS.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§291C-           Helmet required for all-terrain vehicles. (a)

5 No person under eighteen years of age shall operate an all-  
6 terrain vehicle on a public street, sidewalk, park, beach,  
7 trail, or any other public property unless the person wears a  
8 helmet securely fastened with a chin strap and designed for use  
9 by motorcyclists and other motor vehicle users. The helmet  
10 shall conform to Federal Motor Vehicle Safety Standard 218,  
11 title 49, Code of Federal Regulations Section 571.218.

12           (b) Any registered owner of an all-terrain vehicle who  
13 allows a person to operate the all-terrain vehicle in violation  
14 of this section shall be subject to a fine of \$1,000 for each  
15 separate offense.

16           (c) A person may not bring any action against a county or  
17 the state for damages caused by the person's failure to use a  
18 helmet in violation of this section.



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1        (d) Fines collected under this section shall be paid into  
2 the neurotrauma special fund.

3        (e) For the purposes of this section, "all-terrain  
4 vehicle" means any motorized vehicle manufactured and used  
5 primarily for off-highway use which is fifty inches or less in  
6 width, with an unladen dry weight of six hundred pounds or less,  
7 traveling on three, four, or more low pressure tires, with a  
8 seat designed to be straddled by the operator and handlebars for  
9 steering control."

10        SECTION 2. This Act does not affect rights and duties that  
11 matured, penalties that were incurred, and proceedings that were  
12 begun, before its effective date.

13        SECTION 3. New statutory material is underscored.

14        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: John Green up  
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Representative



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**Report Title:**

Helmet Law; minors; all terrain vehicles.

**Description:**

Requires persons under the age of eighteen to wear a helmet while operating an all terrain vehicle on public property. Provides fines for violations.

