



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 2, 2011

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 1098

COMMITTEE ON TRANSPORTATION

The Department of Transportation supports H.B. 1098.

The purpose of this bill is to prevent motorcycles that were manufactured for off-road use only to be registered and used on the public roads. Section 286-42 (a), Hawaii Revised Statutes uses the term "after market frame" but does not provide a definition for it. As a result, the default definition seems to be, "any frame that was not built as a part of a new certified motorcycle". Using this definition makes it possible for anything that looks like a motorcycle to be registered for use on the public roads.

Hawaii has several laws that serve to limit the registration of motor vehicles for use on public roads to only those that are certified by their manufacturers to be in compliance with all applicable Federal Motor Vehicle Safety Standards (FMVSS) as of the date of manufacture. The only exceptions are reconstructed vehicles, special interest vehicles and motorcycles. The purpose of these exceptions is to accommodate motor vehicle hobbyists who modify or even build their own vehicle. However, in practice, the motorcycle exemption is allowing motorcycle manufacturers to circumvent the FMVSS and sell uncertified motorcycles for use on public roads. It also makes it possible for motorcycle owners who purchase a motorcycle that was manufactured for off-road use only (and is marked as such by the manufacturer) to register and use the motorcycle on public roads. The purpose of the FMVSS is to promote highway safety. Making compliance with FMVSS a requisite to motorcycle registration will reduce the probability of uncertified vehicles being on the public roads and contribute to highway safety.

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
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January 31, 2011

The Honorable Joseph M. Souki, Chair
and Committee Members
Committee on Transportation
House of Representatives
State of Hawaii
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

Subject: H.B. No. 1098, Relating to Motor Vehicle Registration

The City and County of Honolulu is in favor of H.B. No. 1098 which will clearly define the type of after market motorcycle frames that may be used for motorcycles that are registered for street usage.

This is a public safety bill which will prevent the registration of motorcycles using frames that were specifically manufactured for off-road use and a motor vehicle that is not certified by the manufacturer to be in compliance with all applicable federal safety standards, except for motorcycles that are built on an aftermarket motorcycle frames, special interest vehicles, and reconstructed vehicles.

The City and County of Honolulu recommends your favorable action on H.B. No. 1098.

Sincerely,

Gail Y. Haraguchi
for Gail Y. Haraguchi
Director