Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 2277 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2277 entitled:

"A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES,"

begs leave to report as follows:

The purpose of this measure is to enhance the health and safety of all-terrain vehicle riders, especially those under the age of sixteen.

The American College of Surgeons, ThinkFirst Hawaii, and several concerned individuals testified in support of this measure. The Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; Honolulu Police Department; Department of Health, and Maui Police Department provided testimony in support with amendments. The Specialty Vehicle Institute of America; American Motorcyclist Association; Hawaii Motorcycle Dealer Association; Hawaii Cattlemen's Council, Inc.; Maui Cattlemen's Association; McCandless Ranch; Ponoholo Ranch, Ltd.; and a plethora of concerned individuals testified in opposition. The Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawaii Farm Bureau Federation provided comments.

Your Committee has amended this measure by deleting its contents and:

- (1) Inserting the contents of H.B. No. 18, H.D.1, relating to All-Terrain Vehicles, which your Committee previously heard and passed with amendments, during the 2011 Regular Session;
- (2) Changing the age restriction to operate an all-terrain vehicle, from six to eight years old; and
- (3) Inserting exemptions for:
 - (A) Law enforcement and government personnel;
 - (B) Persons engaging in bona fide agricultural activities; and
 - (C) Persons in authorized or certified film productions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2277, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2277, H.D. 1.

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

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 960-12

Record of Votes of the Committee on Judiciary

HB 2277	Committee Referral: TRN, JUD	Date:	3/11	12
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☒ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C)			
2. RHOADS, Karl (VC)				
3. BROWER, Tom	/			-
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				
6. COFFMAN, Denny	/			
7. HERKES, Robert N.				
8. ITO, Ken	~			
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.	✓			
12. TSUJI, Clift				
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.	/			
15. THIELEN, Cynthia				
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TOTAL (15)	<u>'</u> 14	0	0	1 1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				