STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 0 3 2017

RE: S.B. No. 1258 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred S.B. No. 1258 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION, "

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish requirements for operating an autocycle; and
- (2) Define "autocycle".

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from Polaris.

Your Committee finds that a significant number of states have developed definitions for the treatment of autocycles, a newer type of vehicle composed of three wheels and non-traditional seating that is manufactured to federal motorcycle safety standards. However, existing Hawaii law does not allow for the registration of these unique vehicles. Accordingly, this measure requires autocycles to be registered as motor vehicles, requires operators of autocycles to possess a valid driver's license, and establishes a definition for autocycle.



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Your Committee notes that an autocycle has handling and operating characteristics that are more in line with a motor vehicle, rather than a motorcycle. As such, an amendment to this measure is necessary to clarify that a valid type 3 license (relating to passenger motor vehicles) is required to operate an autocycle. Your Committee has also heard testimony that most autocycles do not meet the federal Motor Vehicle Safety Standards for passenger motor vehicles. Amendments to this measure are therefore necessary to incorporate certain consumer protection requirements for the registration and operation of autocycles in Hawaii.

Your Committee has amended this measure by:

- Clarifying that a valid type 3 driver's license is required for operation of an autocycle;
- (2) Requiring occupants in an autocycle not equipped with a front windshield to use eye protection;
- (3) Requiring occupants in an autocycle to comply with mandatory seat belt requirements;
- (4) Requiring all dealers, sellers, lessors, and rental agencies to disclose certain information, as applicable, relating to autocycles and the federal Motor Vehicle Safety Standards for passenger motor vehicles;
- (5) Amending the definition of "autocycle";
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1258, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1258, S.D. 1.



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Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair



The Senate Twenty-Ninth Legislature State of Hawai'i

Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	* Committee Referral:		Date:		
SB 1258	TRE, CPH			2/28/17	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)		/			
NISHIHARA, Clarence K. (VC)		1			
CHANG, Stanley		/			
ESPERO, Will			ja ja		
IHARA, Jr., Les		1	- · · · · · · · · · · · · · · · · · · ·		
KIDANI, Michelle N.					2
RUDERMAN, Russell E.	-				/
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TOTAL		6			1
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature: Clarence & Arshihara					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes