

JAN 20 2017

A BILL FOR AN ACT

RELATING TO SAFETY HELMETS.

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

1 SECTION 1. Section 286-81, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "(a) No person shall:

4 (1) Operate a motorcycle or motor scooter, on any highway
5 in the State unless the person and any passenger the
6 person carries on the motorcycle or motor scooter
7 wears:

8 (A) A safety helmet securely fastened with a chin
9 strap;

10 ~~[(A)]~~ (B) Safety glasses, goggles, or a face shield,
11 in the case of a motorcycle or motor scooter that
12 is not equipped with windscreens or windshields;
13 and

14 ~~[(B)]~~ (C) Any other protective devices, ~~[other than a~~
15 ~~safety helmet,~~] required by rules adopted by the
16 director.



1 For the purpose of meeting the requirements of this
2 paragraph, a required device shall meet the
3 specifications and requirements established by rules
4 adopted by the director;

5 (2) Lease or rent a motorcycle or motor scooter to another
6 person unless the person furnishes:

7 (A) A safety helmet with a chin strap to securely
8 fasten the helmet;

9 ~~[(A)]~~ (B) Safety glasses, goggles, or a face shield,
10 in the case of a motorcycle or motor scooter that
11 is not equipped with windscreens or windshields;
12 and

13 ~~[(B)]~~ (C) Any other protective devices required by the
14 rules adopted by the director for the use of the
15 person or persons intending to operate or ride as
16 a passenger on the motorcycle or motor scooter;
17 provided that any person to whom a motorcycle or
18 motor scooter is leased or rented may furnish for
19 the person's own use the protective devices
20 required by this part.



1 For the purposes of meeting the requirements of this
2 paragraph, a required device shall meet the
3 specifications and requirements established by rules
4 adopted by the director; or

5 (3) Sell or offer for sale or furnish any safety helmet,
6 safety glasses, goggles, face shield, windscreen,
7 windshield, or other protective devices represented to
8 meet the requirements of this part unless the device
9 meets the specifications and requirements established
10 by rules adopted by the director.

11 ~~[(b) No person less than eighteen years of age shall~~
12 ~~operate or ride as a passenger on a motorcycle or motor scooter~~
13 ~~on any highway in the State unless the person wears a safety~~
14 ~~helmet securely fastened with a chin strap.~~

15 ~~(e)]~~ (b) A safety helmet shall not be required for any
16 person who operates or rides as a passenger on a motorcycle or
17 motor ~~[scooter, provided that]~~ scooter if the motorcycle or
18 motor scooter:

- 19 (1) Has three wheels;
- 20 (2) Is powered by an electric motor;
- 21 (3) Has a full body enclosed cab; and



1 (4) Has a seat belt assembly or a child restraint system
 2 for the driver and passenger;
 3 and the operator and passenger uses the seat belt or child
 4 restraint system pursuant to sections 291-11.5 and 291-11.6."

5 SECTION 2. Section 291C-195, Hawaii Revised Statutes, is
 6 amended by amending subsection (a) to read as follows:

7 "(a) No person less than fifteen years of age shall drive
 8 a moped on a highway, street, roadway, or any other public
 9 property in the State. No person [~~less than eighteen years of~~
 10 ~~age~~] shall drive a moped or ride as a passenger on a moped
 11 unless the person wears a safety helmet securely fastened with a
 12 chin strap. The safety helmet shall meet the specifications and
 13 requirements established by rules adopted by the director."

14 SECTION 3. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

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

17

INTRODUCED BY: *[Signature]*
Procl E. Dull
Breem Hart



S.B. NO. 178

Report Title:

Safety Helmets; Motorcycle; Motor Scooter; Moped

Description:

Requires safety helmets to be worn by drivers and passengers of motorcycles, motor scooters, and mopeds, regardless of age.

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