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# A BILL FOR AN ACT

RELATING TO MOTORCYCLE INSTRUCTION PERMITS.

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

1           SECTION 1. The purpose of this Act is to require,  
2 beginning on July 1, 2026, that applicants for a motorcycle  
3 instruction permit successfully complete a basic motorcycle  
4 rider course approved by the department of transportation before  
5 becoming eligible for the permit.

6           SECTION 2. Section 286-110, Hawaii Revised Statutes, is  
7 amended to read as follows:

8           "§286-110 Instruction permits. (a) Any person aged  
9 fifteen years and six months or more who, except for the  
10 person's lack of instruction in operating a motor vehicle, would  
11 be qualified to obtain a driver's license issued under this part  
12 may apply for a temporary instruction permit or a limited  
13 purpose instruction permit at the office of the examiner of  
14 drivers in the county in which the applicant resides; provided  
15 that the applicant complies with section 286-102.5.

16           (b) No person shall be issued a motorcycle instruction  
17 permit unless the person successfully completes a basic



1 motorcycle rider course approved by the department of  
2 transportation and division of motor vehicles of the department  
3 of customer services of the city and county of Honolulu.

4 [~~(b)~~] (c) The examiner of drivers shall examine every  
5 applicant for an instruction permit. The examination shall  
6 include tests of the applicant's:

- 7 (1) Eyesight and other physical or mental capabilities to  
8 determine if the applicant is capable of operating a  
9 motor vehicle;
- 10 (2) Understanding of highway signs regulating, warning,  
11 and directing traffic; and
- 12 (3) Knowledge of the traffic laws, ordinances, or  
13 regulations of the State and the county where the  
14 applicant resides or intends to operate a motor  
15 vehicle.

16 [~~(e)~~] (d) If the examiner of drivers is satisfied that the  
17 applicant is qualified to receive an instruction permit, the  
18 examiner of drivers shall issue the permit entitling the  
19 applicant, while having the permit in the applicant's immediate  
20 possession, to drive a motor vehicle upon the highways for a  
21 period of one year; provided that:



- 1 (1) An applicant who is registered in a driver training  
2 course shall be issued a temporary instruction permit  
3 for the duration of the course and the termination  
4 date of the course shall be entered on the permit; and
- 5 (2) If the applicant is a legal immigrant, the permit  
6 shall expire no later than the applicant's authorized  
7 period of stay in the United States.

8 A person who is not licensed to operate the category of  
9 motor vehicles to which the driving training course applies  
10 shall not operate a motor vehicle in connection with the driving  
11 training course without a valid temporary instruction permit[-]  
12 unless it is a motorcycle that is being used for training  
13 purposes on an enclosed state certified training range as  
14 provided under administrative rules.

15 [~~(d)~~] (e) Except when operating a motor scooter or  
16 motorcycle, the holder of an instruction permit shall be  
17 accompanied by a person who is twenty-one years of age or older  
18 and licensed to operate the category of motor vehicles in which  
19 the motor vehicle that is being operated belongs. The licensed  
20 person shall occupy a passenger seat beside the permit holder  
21 while the motor vehicle is being operated; provided that if the



1 holder of the instruction permit is under the age of eighteen  
2 years and is driving between the hours of 11:00 p.m. and 5:00  
3 a.m.:

4 (1) A licensed driver who is the permit holder's parent or  
5 guardian shall occupy a passenger seat beside the  
6 driver while the motor vehicle is operated, unless the  
7 permit holder is an emancipated minor;

8 (2) The licensed driver shall be licensed to operate the  
9 same category of motor vehicles as the motor vehicle  
10 being operated by the holder of the instruction  
11 permit; and

12 (3) All occupants of the motor vehicle shall be restrained  
13 by a seat belt assembly or a child passenger safety  
14 restraint system as required under sections 291-11.5  
15 and 291-11.6, notwithstanding any other law to the  
16 contrary.

17 [~~e~~] (f) No holder of a temporary instruction permit  
18 shall operate a motorcycle or a motor scooter during hours of  
19 darkness or carry any passengers.

20 [~~f~~] (g) No holder of a category 1 or 2 temporary  
21 instruction permit shall have the permit renewed, nor shall the



1 holder be issued another temporary instruction permit for the  
2 same purpose, unless the holder has taken the examination for a  
3 category 1 or 2 license at least once [~~prior to~~] before the  
4 expiration of the temporary instruction permit. If the holder  
5 of a temporary instruction permit fails to meet the requirements  
6 of this section, the holder shall not be permitted to apply for  
7 another category 1 or 2 temporary instruction permit for a  
8 period of three months. Nothing in this subsection shall affect  
9 the right and privilege of any holder of a category 1 or 2  
10 temporary instruction permit to obtain a temporary instruction  
11 permit or driver's license for the operation of any other type  
12 of motor vehicle.

13 [~~(g)~~] (h) The examiner of drivers may accept an  
14 application for renewal of an instruction permit no more than  
15 thirty days [~~prior to~~] before or ninety days after the  
16 expiration date of the instruction permit, whereupon the  
17 applicant for renewal of an instruction permit shall be exempt  
18 from subsection [~~(b)(2) and (3).~~] (c)(2) and (3). If an  
19 application for renewal of an instruction permit is not made  
20 within ninety days after the expiration date of the permit, the



1 applicant shall be treated as applying for a new instruction  
2 permit and examined in accordance with subsection ~~[(b)-]~~ (c).

3 ~~[(h)]~~ (i) Notwithstanding any other law to the contrary,  
4 the examiner of drivers may issue an instruction permit to an  
5 applicant with a disability who has completed a medical review  
6 with this State, and as a condition to licensure is required to  
7 pass a road test, but has failed the road test on the  
8 applicant's first attempt. The instruction permit issued under  
9 this subsection may be renewed no more than thirty days ~~[prior~~  
10 ~~to]~~ before or ninety days after the expiration date of the  
11 instruction permit upon receiving an updated medical report.  
12 ~~[Subsections (b)(2) and (3)]~~ Subsection (c)(2) and (3) shall not  
13 apply to the issuance or renewal of an instruction permit issued  
14 under this subsection.

15 For the purposes of this subsection, "applicant with a  
16 disability" means an applicant who the examiner of drivers has  
17 reasonable cause to believe may have a mental or physical  
18 infirmity or disability that would make it unsafe to operate a  
19 motor vehicle pursuant to section 286-119(a)(1) and has been  
20 medically evaluated by the medical advisory board established  
21 pursuant to section 286-4.1."



1 SECTION 3. This Act shall not apply to applicants who  
2 submit applications for a motorcycle instruction permit before  
3 its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

DOT; Motorcycle Instruction Permits; Basic Motorcycle Rider Course; Enclosed State Certified Training Range

**Description:**

Requires all applicants for a motorcycle instruction permit to successfully complete a basic motorcycle rider course approved by the Department of Transportation and Division of Motor Vehicles of the Department of Customer Services of the City and County of Honolulu before becoming eligible for the permit. Clarifies that a person shall not operate a motor vehicle in connection with the driving training course without a valid temporary instruction permit unless it is a motorcycle that is being used for training purposes on an enclosed state certified training range. Effective 7/1/3000. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

