

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Tuesday, February 11, 2025
3:01 P.M.
State Capitol, Room 224 & Videoconference

LATE

S.B. 502
RELATING TO VEHICLES

Senate Committee on Transportation and Culture and the Arts

The Department of Transportation (DOT) **commenting on S.B. 502**, which allows all-terrain vehicle to drive on streets with posted speed limits of not more than 45 miles per hour, allows all-terrain vehicles to drive in the evening and night if they are equipped with headlights and taillights, and allows drivers of all-terrain vehicles to wear a safety helmet with a securely fastened chin strap. Includes in the definition of "utility-terrain vehicle" as a motor vehicle that accommodates one driver and one passenger sitting side-by-side, and up to 6 people in seat belts.

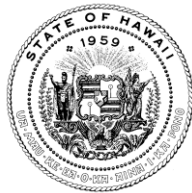
According to Hawaii Department of Transportation, from 2019 to 2024, there were 3 deaths related to all-terrain vehicle (ATV) deaths on our roadways, including one death that tragically involved a 13-year-old boy.

The DOT respectfully requests the following change to this measure:

- Page 1, line 14 and 15 be amended to "not more than thirty-five miles per hour."
- Page 2, line 10 be amended to include "turn signals, and brake lights."

Utility-terrain or all-terrain vehicles are still designed for operation off road; however, conversion kits can provide the UTV or ATV owner an opportunity to equip their vehicle to operate safely on lower speed roads.

Thank you for the opportunity to provide testimony.



JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committees on Transportation and Culture and the Arts
Tuesday, February 11, 2025
3:01 p.m.
State Capitol, Conference Room 224 and via Videoconference

On the following measure: **S.B. 502, RELATING TO VEHICLES**

Chair Lee and Members of the Committee:

My name is Jerry Bump, and I am the Acting Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department offers comments on this bill.

The purpose of this bill is to allow all-terrain vehicles to drive on streets with posted speed limits of not more than forty-five miles per hour; allow all-terrain vehicles to drive in the evening and night if they are equipped with headlights, tail lights, and while displaying a slow moving vehicle emblem; allow drivers of all-terrain vehicles to wear a safety helmet with a securely fastened chin strap; and include in the definition of "utility-terrain vehicle" a motor vehicle that accommodates one driver and one passenger sitting side-by-side, and up to six people in seat belts.

The Department notes that operating vehicles, whether they are motor vehicles, motor scooters, or all-terrain vehicles, inherently carries risks. Insurance coverage provides a means to safeguard against these potential risks and ensures that the safety

of the public is paramount on our roadways. Should the bill move forward, and all-terrain vehicles are permitted to use public streets, we request that all-terrain vehicles be added to chapter 431, articles 10C and 10G, Hawaii Revised Statutes to include an insurance requirement.

Thank you for the opportunity to testify.

February 10, 2025

Chair Chris Lee
Committee on Transportation, Culture and Arts
Hawaii State Capitol, Room 442
Honolulu, HI 96813

RE: SB 502 (Richards) – All-Terrain Vehicles (ATV)/Utility Terrain Vehicles (UTV)
Position: Oppose

Dear Chairman Lee,

AAA Hawai'i respectfully opposes SB 502 introduced by House Representative Olds. The intent of the bill appears to be to make All-Terrain Vehicles (ATV)/Utility Terrain Vehicles (UTV) more accessible to a broader group of users and less restricted in where/when they can operate. Unfortunately, AAA is concerned that SB 502, as introduced, carries the potential for more harmful consequences to traffic safety in carrying out its overall intent.

Our understanding of SB 502 is that it would remove the requirement for a Category 3 driver's license and instead allow anyone with a learning permit or provisional license to operate an ATV/UTV. This provision is especially concerning because SB 502 also removes certain traffic safety protections in HRS 286-12 intended to keep all operators safe. This includes laws requiring ATV/UTV operators to stay on slower local roads, bans against night-time riding, and mandatory helmet use.

There are many reasons ATVs and UTVs are designed to stay away from mixed traffic. They can operate at speeds up to 80 mph and are more vulnerable to colliding with motor vehicles and pedestrians. They are also more susceptible to overturning compared to passenger vehicles due to differences in their center of gravity. AAA believes they should only be operated on public roads by Category 3 and other experienced drivers in controlled and safe conditions.

AAA Hawaii was founded in 1915 in Honolulu and is a leader in motorist services and a strong advocate for traffic safety. With over 170,000 members in Hawaii and 60 million nationwide, service to and the safety of our members, other motorists, and all road users is our founding and continuing purpose. We share Representative Richards' interest in making motoring more enjoyable and hope we can work together to develop options for ATV/UTV users.

Respectfully Submitted,



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