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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Transportation
Tuesday, February 3, 2026
3:00 p.m.

State Capitol, Conference Room 229 and via videoconference

On the following measure:
S.B. 2172, RELATING TO VEHICLES

Chair Inouye and Members of the Committee:

My name is Scott K. Saiki, and I am the 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 an all-terrain vehicle to drive in the evening and night if they are equipped with headlights, tail lights, turn signals, and brake 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, rather than require; 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; and include "all-terrain vehicle" in the definition of "motor vehicle" under the State's motor vehicle insurance law.

Section 2 of the bill amends HRS § 431:10C-103 by adding a definition for "all-terrain vehicle" and adding all-terrain vehicles to the definition of "Motor vehicle". By

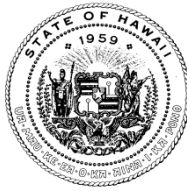
Testimony of DCCA

S.B. 2172

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adding “all-terrain vehicle” in the definition of “motor vehicle” under HRS § 431:10C-103, “all-terrain vehicles” will be required to have a motor vehicle insurance policy which provides the coverage required by Chapter 431, HRS, article 10C.

Thank you for the opportunity to testify.



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

Tuesday, February 3, 2026
3:00 PM
State Capitol, 229

SB2172
RELATING TO VEHICLES

Senate Committee on Transportation

The Department of Transportation (HDOT) offers the following comments on S.B. No. 2172.

The measure would expand the circumstances under which all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs) may be operated on public streets, including allowing evening and nighttime operation with certain equipment, modifying helmet requirements, and expanding the definition of utility-terrain vehicles to include vehicles capable of transporting multiple passengers.

Under existing law, ATVs are generally restricted from operating on public streets except under very limited circumstances, such as when used as farm equipment or by government workers acting within their official duties. This bill significantly broadens those exceptions.

While HDOT recognizes the intent to address agricultural and rural transportation needs, the Department has significant site safety and roadway operations concerns with the expanded use of ATVs and UTVs on public roadways.

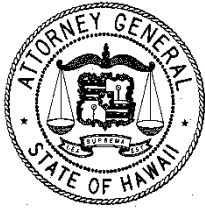
ATVs and UTVs are primarily designed for off-highway use and generally lack the crashworthiness, visibility, and operational characteristics necessary for safe interaction with mixed traffic environments. Even with additional lighting and signage, these vehicles present increased risks related to stability, braking performance, occupant protection, and driver visibility—risks that are further amplified during evening and nighttime hours.

HDOT is particularly concerned that expanding allowable passenger capacity and nighttime roadway operation may increase the likelihood of serious injuries or fatalities, especially on roadways not designed to accommodate vehicles with these characteristics. In addition, enforcement, roadway designation, and public awareness challenges raise further implementation and safety concerns.

For these reasons, HDOT is unable to support S.B. No. 2172 at this time. The

Department believes additional evaluation, safety analysis, and coordination with enforcement and safety partners would be necessary before considering expansion of ATV and UTV use on public streets.

Thank you for the opportunity to provide comments on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:
S.B. NO. 2172, RELATING TO VEHICLES.

BEFORE THE:
SENATE COMMITTEE ON TRANSPORTATION

DATE: Tuesday, February 3, 2026 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Megan A.C. Oka, Deputy Attorney General

Chair Inouye and Members of the Committee:

The Department of the Attorney General provides the following comments.

The bill amends sections 286-12 and 431:10C-103, Hawaii Revised Statutes (HRS), to broaden the permitted uses of all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs), and to require persons operating ATVs on a street to insure their vehicles under a motor vehicle insurance policy.

The bill amends the definition of "motor vehicle" under section 431:10C-103, HRS, to mean "any vehicle of a type required to be registered under chapter 286, including a trailer attached to such vehicle and an all-terrain vehicle operating on a street pursuant to section 286-12, but not including motorcycles and motor scooters." This amended definition is not consistent with section 286-12, HRS, because the only permitted uses for ATVs on a street are exempt from motor vehicle regulation. Under section 286-12(a)(1), HRS, ATVs and UTVs may only be operated on a street if being used "as farm equipment, or used by a city, county, or state worker while acting within the scope of that person's official duties." Section 286-12(d), HRS, specifically provides that when used for these limited purposes (as farm equipment), ATVs and UTVs are not to be regulated as motor vehicles.

To effectuate the insurance requirements contemplated by this bill, we recommend the following:

(1) That section 286-12(d), HRS, be amended to read: "All-terrain vehicles and utility-terrain vehicles used as farm equipment shall be regulated as farm equipment and not as motor vehicles[-], except that all-terrain vehicles used as farm equipment shall be regulated as motor vehicles when operated on a street in accordance with subsection (a)." to address the inconsistencies identified herein; and

(2) That the addition of "all-terrain vehicle" to the definitions in section 431:10C-103, HRS, on page 4, lines 11-12, refer to section 286-12, rather than chapter 286 as a whole, to avoid ambiguity.

It is not clear whether the bill intends to expand the use of UTVs in the same manner as it does for ATVs, by allowing them to be driven during evening and night hours if they are equipped with certain lights and emblems, but if that is the intent, then UTVs should be included in the amendments to section 286-12(a)(6) and in the definitions in section 431:10C-103, HRS.

We respectfully ask the Committee to make the recommended amendments.

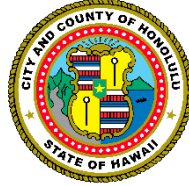
Thank you for the opportunity to provide comments on this bill.

DEPARTMENT OF CUSTOMER SERVICES
KA 'OIHANA LAWELAWE KUPA
CITY AND COUNTY OF HONOLULU

ADMINISTRATION

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KIMBERLY M. HASHIRO
DIRECTOR
PO'O

MEGAN JOHNSON
DEPUTY DIRECTOR
HOPE PO'O

February 2, 2026

The Honorable Lorraine R. Inouye, Chair
The Honorable Brandon J.C. Elefante, Vice Chair
and Members of the Senate Committee on Transportation
State Capitol, Conference Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Transportation:

SUBJECT: S.B. No. 2172 - Relating To Vehicles
HEARING: Tuesday, February 3, 2026, 3:00 p.m.

The City and County of Honolulu, Department of Customer Services (CSD) **opposes** this bill and appreciates the opportunity to offer comments for your committee's consideration. Pursuant to Section 6-402 of the Revised Charter of the City and County of Honolulu, CSD Division of Motor Vehicles (DMV) administers the motor vehicle registration program for the island of O'ahu. While CSD appreciates the intent of the proposed legislation, we have concerns regarding its application and its legal implications.

While CSD understands the intent of the bill to expand the permissible use of all-terrain vehicles and utility-terrain vehicles under certain conditions, the proposed amendments raise significant administrative, enforcement, and legal concerns. In particular, amending the definition of "motor vehicle" to include "an all-terrain vehicle operating on a street pursuant to section 286-12" for purposes of registration and insurance would represent a substantial shift from the current regulatory framework.

From a DMV administration standpoint, these vehicles are not designed, titled, or tracked in the same manner as traditional motor vehicles. The bill does not establish clear standards for registration, titling, numbering, or equipment verification that would be necessary for DMV implementation. Without such clarity, DMV staff would face

difficulty determining eligibility, processing transactions, and ensuring consistent application of the law.

In addition, expanding on-street use of all-terrain vehicles, including during evening and nighttime hours, may create enforcement challenges and increase public confusion regarding licensing, insurance, and operational requirements. These issues could place additional burdens on DMV systems, staff, and customers, and may require new procedures, training, and technology upgrades to administer effectively.

CSD is also concerned that the bill's interaction with existing motor vehicle insurance laws could result in unintended consequences, including uncertainty for insurers, law enforcement, and vehicle owners regarding coverage and compliance.

For these reasons, CSD respectfully opposes S.B. No. 2172 and recommends further consideration of the administrative and enforcement impacts on the motor vehicle registration and driver licensing system.

Thank you for this opportunity to provide testimony on S.B. No. 2172.

Sincerely,

for Kimberly M. Hashiro
Director



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February 3, 2026

HEARING BEFORE THE
SENATE COMMITTEE ON TRANSPORTATION

TESTIMONY ON SB 2172
RELATING TO VEHICLES

Conference Room 229 & Videoconference
3:00 PM

Aloha Chair Inouye, Vice-Chair Gabbard, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 2172. Farmers and ranchers across the state rely on all-terrain vehicles and utility-terrain vehicles as essential farm equipment to carry out daily agricultural operations safely and efficiently.

Agricultural work often begins early in the morning and continues into the evening hours. Allowing properly equipped all-terrain vehicles to operate during evening and nighttime hours recognizes the realities of farm and ranch operations while maintaining reasonable safety requirements, including appropriate lighting and the use of slow-moving vehicle emblems.

SB 2172 also updates vehicle definitions to reflect modern agricultural equipment and provides flexibility for operators while continuing to prioritize safety. These clarifications help ensure that existing law remains practical and workable for farmers, ranchers, and public employees who rely on these vehicles for legitimate purposes.

HFB appreciates the Committee's consideration of the operational needs of agriculture and respectfully urges your support for SB 2172.

Thank you for the opportunity to testify.

LATE

SB-2172

Submitted on: 2/2/2026 3:10:33 PM

Testimony for TRS on 2/3/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
teahiroa Fukumitsu	Individual	Support	Written Testimony Only

Comments:

As a citizen of Hawaii, I come in support of the passing of this bill. If the citizens are utilizing the correct utilities to make sure that they are capable of functioning safely and won't cause harm to others, as well as the local ecosystems, they should be permitted to utilize the beach for off-roading purposes as they please. As a person studying environmental management i believe that creating a safe time frame with specific parameters would be much more beneficial for the ecosystems as opposed to sporadic, uncontrolled driving in places of importance and that may be susceptible to damage.