
A BILL FOR AN ACT

RELATING TO VEHICLES.

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

1 SECTION 1. Section 286-12, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsections (a) and (b) to read:

4 "(a) All-terrain vehicles and utility-terrain vehicles may
5 be operated on a street, as defined in section 291C-1; provided
6 that the all-terrain vehicle or utility-terrain vehicle is:

7 (1) Used as farm equipment, or used by a city, county, or
8 state worker while acting within the scope of that
9 person's official duties;

10 (2) Operated by a person who holds a current [category
11 ~~(3)~~] driver's license under section 286-102 [~~or a~~
12 ~~commercial driver's license under part XIII~~];

13 (3) Driven on streets [~~that are no more than two lanes,~~
14 or roads that are adjacent to farmland with posted
15 speed limits of [~~no~~] not more than thirty-five miles
16 per hour;



- 1 (4) Used to travel alongside or between properties zoned
2 for agriculture~~[7]~~ and used for agricultural activity
3 purposes, or used by a city, county, or state worker
4 while acting within the scope of that person's
5 official duties to travel between properties under the
6 jurisdiction of the city, county, or State;
- 7 (5) Used in counties with populations of less than five
8 hundred thousand residents; and
- 9 (6) Driven on streets during daylight hours; provided
10 further that an all-terrain vehicle or utility terrain
11 vehicle may be driven on streets during evening and
12 night hours only if equipped with headlights, tail
13 lights, turn signals, brake lights, and while
14 displaying a slow moving vehicle emblem; provided
15 further that while in operation, any operator and
16 passenger of an all-terrain vehicle or utility-terrain
17 vehicle [~~shall~~] may wear a safety helmet with a
18 securely fastened chin strap that meets the
19 specifications and requirements established by rules
20 adopted by the director.
- 21 (b) For the purposes of this section:



1 "All-terrain vehicle" means a motor vehicle that:

2 (1) Is designed for off-highway operation by a single
3 operator carrying no more than one passenger, if so
4 designed as provided in paragraph (5) of this
5 definition;

6 (2) Is fifty inches or less in width;

7 (3) Has an unladen weight of nine hundred pounds or less;

8 (4) Is suspended on three or more tires;

9 (5) Has a single seat designed to be straddled by the
10 operator, or a single seat designed to be straddled by
11 the operator and a seat for not more than one
12 passenger sitting behind the operator; and

13 (6) Has handlebars for steering control.

14 "Farm equipment" refers to any kind of machinery used on a
15 farm to help with farming, including but not limited to a
16 tractor, cultivator, plow, all-terrain vehicle, or
17 utility-terrain vehicle.

18 "Utility-terrain vehicle" means a motor vehicle that:

19 (1) Is designed to be operated off highway;

20 (2) Is sixty inches or less in width;



- 1 (3) Has an unladen weight of one thousand three hundred
- 2 pounds or less;
- 3 (4) Is suspended on four to six tires;
- 4 (5) Has a steering wheel for steering control;
- 5 (6) Is equipped with roll-over protection;
- 6 (7) Accommodates one driver and one passenger sitting
- 7 side-by-side[+] and up to six people in seat belts;
- 8 and
- 9 (8) Is equipped with seat belts for driver and passenger
- 10 protection."

11 2. By amending subsection (d) to read:

12 "(d) All-terrain vehicles and utility-terrain vehicles
13 used as farm equipment shall be regulated as farm equipment and
14 not as motor vehicles[-]; provided that an all-terrain vehicles
15 or utility terrain vehicle used as farm equipment shall be
16 regulated as motor vehicles when operated on a street in
17 accordance with subsection(a)."

18 SECTION 2. Section 431:10C-103, Hawaii Revised Statutes,
19 is amended as follows:

20 1. By adding two new definitions to be appropriately
21 inserted and to read:



1 "All-terrain vehicle" has the same meaning as defined in
2 section 286-12.

3 "Utility terrain vehicle" has the same meaning as defined
4 in section 286-12."

5 2. By amending the definition of "motor vehicle" to read:

6 "Motor vehicle" means any vehicle of a type required to be
7 registered under chapter 286, including a trailer attached to
8 such a vehicle[~~r~~] and an all-terrain vehicle or utility terrain
9 vehicle operating on a street pursuant to section 286-12, but
10 not including motorcycles and motor scooters."

11 SECTION 3. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

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

16 SECTION 5. This Act shall take effect upon its approval.



Report Title:

All-Terrain Vehicles; Utility Terrain Vehicles; Highways;
Drivers; Equipment; Agriculture

Description:

Allows an all-terrain vehicle or utility terrain vehicle to drive in the evening and night if they are equipped with headlights, taillights, turn signals, and brake lights, and while displaying a slow moving vehicle emblem. Allows drivers of all-terrain vehicles and utility vehicles to wear a safety helmet with a securely fastened chin strap, rather than require. Includes 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. Includes "all-terrain vehicle" and "utility terrain vehicle" in the definition of "motor vehicle" under the State's motor vehicle insurance law. (SD1)

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