

A Bill for an Act Relating to Motor Vehicles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that many motorcycle and motor scooter riders are traveling on the highways of the State without really having learned the basics of handling such vehicles. Under the present system, it is possible and has become a practice, for motorcycle or motor scooter permittees to continuously renew a temporary instruction permit and operate the vehicle without any intention of seriously learning the machine to successfully pass the license examination. This type of practice abuses the concept of the instruction permit. It is the purpose of this Act to require persons desiring to renew temporary instruction permits to present evidence of their good faith.

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

"Sec. 286-110 Instruction permits. (a) Any person who, except for his lack of instruction in operating a motor vehicle, would be qualified to obtain an operator's license issued under this part may apply for a temporary instruction permit at the office of the examiner of drivers in the county in which the applicant resides.

(b) The examiner of drivers shall, within ten days of the filing of the application, examine every applicant for an instruction permit. The examination shall include tests of the applicant's:

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

(c) If he is satisfied that the applicant is qualified to receive an instruction permit, the examiner of drivers shall issue the permit entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle upon the highways for a period of ninety days; provided that an applicant who is registered in a driver training course shall be issued a temporary instruction permit for the duration of the course and the termination date of the course shall be entered on the permit.

(d) Except when operating a motor scooter or motorcycle, the holder of a temporary instruction permit shall be accompanied by a person licensed as an operator or driver of the category of motor vehicles in which the motor vehicle which is being operated belongs. The licensed person shall occupy a seat as near the permit holder as is practical while the motor vehicle is being so operated.

(e) No holder of a temporary instruction permit shall operate a motorcycle or a motor scooter during hours of darkness or carry any passengers.

(f) No holder of a temporary instruction permit for the operation of a motorcycle or motor scooter shall have the permit renewed more than once, nor shall the holder be issued another temporary instruction permit for the same

purpose, unless he has taken the examination for a motorcycle or motor scooter license at least once prior to the expiration of the second temporary instruction permit and at least once prior to the expiration of each subsequent temporary instruction permit issued thereafter. If the holder of a temporary instruction permit fails to meet the requirements of this Section, he shall not be permitted to apply for another temporary instruction permit for a motor scooter or motorcycle for a period of three months. Nothing in this subsection shall affect the rights and privileges of any holder of a temporary instruction permit for the operation of a motorcycle or motor scooter from obtaining a temporary instruction permit or driver's license for the operation of any other type of motor vehicle."

SECTION 3. New statutory material is underscored. In printing this Act, the revisor of statutes need not include the underscoring.*

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

(Approved May 6, 1977.)

*Edited accordingly.