

A Bill for an Act Relating to Motor-Bikes.

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

SECTION 1. Section 249-1, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-1 Definitions.** As used in this chapter and unless a different meaning appears from the context, the following terms shall have the following respective meanings.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, but exclude devices moved by human power or devices used exclusively upon stationary rails or tracks and mopeds.

"Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power, but which is not operated upon rails, but excludes mopeds.

"Antique motor vehicle" means any motor vehicle of the age of thirty-five years or more from the date of manufacture, that is of the original factory specification or restored to the original specifications in an unaltered or unreconstructed condition, operated or moved over the highway primarily for the purpose of historical exhibition or other similar purposes.

"Truck" means any motor vehicle designed or used primarily for the carriage of property other than effects of the driver or passengers, and includes a motor vehicle to which has been added a box, platform, or other equipment for such carriage.

"Net weight" of a vehicle means the actual weight of the vehicle, as determined on a standard scale, including all equipment and accessories ordinarily attached to and used on the vehicle, and in the case of a motor vehicle, the maximum fuel, oil, and water possible of being carried for its operation; provided, that "net weight" of a new standard equipped vehicle, other than a motor vehicle, means the shipping weight thereof as established by its manufacturer, and "net weight" of a new standard equipped passenger vehicle means the shipping weight thereof as established by its manufacturer, plus one hundred pounds, and "net weight" of a new standard equipped motorcycle, motor scooter, or moped, means the shipping weight thereof as established by its manufacturer, plus thirty pounds, and "net weight" of a new standard equipped truck means the shipping weight thereof as established by its manufacturer, plus two hundred pounds. On initial registration of a standard equipped vehicle, other than a motor vehicle, for which the director of finance has the manufacturer's established weight, the director of finance, in lieu of requiring the vehicle to be weighed and in order to determine the "net weight" thereof, may use such established weight and may require the owner to furnish verification of the factory serial number of the vehicle. On initial registration of standard equipped passenger vehicles, motorcycles, motor scooters, mopeds, and trucks for which the director of finance has the manufacturer's established weights, the director of finance, in lieu of requiring such motor vehicles to be weighed and in order to determine the "net weight" thereof, may use such established weights, adding one hundred

pounds in the case of standard equipped passenger vehicles, thirty pounds in the case of standard equipped motorcycles, motor scooters, and mopeds, and two hundred pounds in the case of standard equipped trucks, and may require the owners to furnish verification of factory serial and engine numbers of such motor vehicles. As to a vehicle for which the manufacturer's weight is not available or whose make and model cannot be determined with reasonable certainty or which has been so altered as to increase or diminish the weight thereof, "net weight" means the actual weight of such vehicle, as determined on a standard scale, including all equipment and accessories originally attached to and used on the vehicle and, in the case of a motor vehicle, the maximum fuel, oil, and water possible of being carried for its operation. In all cases information shall be presented to and in the manner prescribed by the director of finance.

"Director of finance" means the director of finance of each county or of the county concerned, and includes his duly authorized deputies and subordinates.

"Moped" means a device upon which a person may ride which has two or three wheels in contact with the ground, a motor having a maximum power output capability measured at the motor output shaft, in accordance with the Society of Automotive Engineers standards, of one and one-half horsepower (one thousand, one hundred nineteen watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the device, unassisted, on a level surface at a maximum speed no greater than thirty-five miles per hour; and a direct or automatic power drive system which requires no clutch or gear shift operation by the moped driver after the drive system is engaged with the power unit.

"Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels sixteen inches in diameter or greater, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels."

SECTION 2. Section 249-14, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-14 Bicycle and moped tax.** (a) All bicycles and mopeds used for the conveyance of persons shall be subject to an annual tax of \$3 each to be paid by the owners thereof to the director of finance. This tax shall become due and payable on January 1 and shall be delinquent on March 1 of each year; provided that any bicycle or moped initially acquired after November 30 of a calendar year, previously not registered, shall be exempt from taxation until January 1 of the next calendar year, provided that the tax for the next calendar year shall be paid before January 1. Upon receipt of the tax, the director of finance shall number and register each bicycle and moped, for which the tax is paid, in the owner's name and furnish the owner with a metallic tag or decal for each bicycle or moped with number and year marked thereon, charging therefor the sum of 10 cents, which tag or decal shall be attached to the bicycle or moped. On bicycles the decal shall be affixed to the upright post attached to the sprocket facing in the forward direction. On mopeds the decal shall be affixed to the lower portion of the rear fender facing rearward. Upon initial registration by an owner or transferee, the director of finance shall require proof of ownership and require

the owner to furnish verification of the serial number and description contained in the proof of ownership and application for registration. The metallic tags or decals shall be in such form as the director of finance shall from time to time prescribe. It shall be the duty of the council of each county to purchase a sufficient number of such tags or decals.

(b) All taxes collected under this section shall be deposited into the bikeway fund and shall be expended in the county in which the taxes are collected as provided in section 249-17.5."

SECTION 3. Section 249-14.5, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-14.5 New bicycles and mopeds.** All new bicycles and mopeds, otherwise taxable under section 249-14, in stock for purposes of sale shall be exempt from the tax herein provided for; provided that at the time of first sale, the dealer selling the new bicycle or moped shall:

- (1) Require the buyer to complete license application forms furnished by the director of finance;
- (2) Issue a copy of the completed forms to the buyer; and
- (3) Transmit the completed forms to the director of finance with the required tax and fees which he has collected from the buyer.

Upon receipt of the tax, fees, and the completed license application forms, the director of finance shall mail a tag or decal and certificate of registration to the registered owner. Until the tag or decal is received from the county, the bicycle or moped owner shall keep a copy of the completed application form upon his person when riding his bicycle or moped on a public street."

SECTION 4. Section 249-15, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-15 Seizure and sale.** The directors of finance and deputy directors of finance and any person authoritatively acting on behalf of the director of finance or deputy director of finance and all members of the police force of the several districts of the State may seize any bicycle or moped liable to taxation which has no tag or decal affixed as required by section 249-14, and may hold the bicycle or moped for a period of ten days, during which time it shall be subject to redemption by its owner on payment of the tax due and a penalty of 50 cents. All bicycles and mopeds not so redeemed shall be sold by any chief of police or his authorized subordinate, or director of finance or deputy director of finance, at public auction after first giving five days' public notice of the time and place of sale by advertisement in a newspaper published in the district, if any, or by posting notices in at least three public places in the district where the sale is to be held. Sale shall be made for the best price obtainable, which amount shall be forthwith paid over to the director of finance or his deputy, accompanied by a statement containing a description of the bicycles or mopeds, their number, makes, and any other marks of identification. The director of finance or his deputy shall thereupon, after deducting from the amount so received the amount of the tax and penalty due and costs of advertising, pay over to the owners of the bicycles or mopeds any surplus there may be if it is possible to ascertain who the owners are. If at the expiration of ninety days the owners remain unknown, the

surplus shall be paid into the treasury of the county, as a government realization, and all claims to such sums shall be forever barred."

SECTION 5. Section 249-16, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-16 Duplicate bicycle and moped tags.** In the event that a bicycle or moped tag furnished under section 249-14 is lost, the person to whom it was furnished may obtain a duplicate thereof by presenting to the county director of finance or his deputy the number and registration of the bicycle or moped involved. There shall be charged for the duplicate tag issued the sum of 10 cents."

SECTION 6. Section 249-17, Hawaii Revised Statutes, is amended to read:

**"Sec. 249-17 False tag, bicycle or moped, penalty.** Any person who uses a tag not furnished in accordance with section 249-14, or uses any tag described in such section for two consecutive years, or who counterfeits any such tag or who fraudulently removes such a tag from any bicycle or moped, shall be fined not more than \$500.

SECTION 7. Section 286-2, Hawaii Revised Statutes, is amended by amending the definitions of "bicycle", "motorcycle", "motor scooter", "motor vehicle", and "vehicle" to read:

"Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels sixteen inches in diameter or greater, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

"Motorcycle" means every motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excludes a farm tractor and a moped.

"Motor scooter" means every motorcycle with a motor which produces not more than five horsepower but excludes a moped.

"Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power but which is not operated upon rails, but excludes a moped.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, but excludes devices moved by human power or devices used exclusively upon stationary rails or tracks; and mopeds.

SECTION 8. Section 286-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read:

"Moped" means a device upon which a person may ride which has two or three wheels in contact with the ground, a motor having a maximum power output capability measured at the motor output shaft, in accordance with the Society of Automotive Engineers standards, of one and one-half horsepower (one thousand, one hundred nineteen watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the moped, unassisted, on a level surface at a maximum speed no greater than thirty-five miles per hour; and a direct or automatic power drive system which requires no clutch or gear shift operation by

the moped driver after the drive system is engaged with the power unit.

SECTION 9. Section 291C-1, Hawaii Revised Statutes, is amended by amending the definitions of "bicycle", "motor vehicle", "motorcycle", and "vehicle" to read:

- "(4) "Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels, sixteen inches in diameter or greater, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.
- (14) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power but not operated upon rails but excludes a moped.
- (15) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excludes a farm tractor and a moped.
- (40) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway or highway, but excludes devices moved by human power or devices used exclusively upon stationary rails or tracks; and mopeds.

SECTION 10. Section 291C-1, Hawaii Revised Statutes, is amended by deleting the definition of "motor-driven cycle" and by inserting the definition of "motor scooter" to read:

- "(16) "Motor scooter" means every motorcycle which produces not more than five horsepower, and excludes a moped."

SECTION 11. Section 291C-1, Hawaii Revised Statutes, is amended by adding a definition to be appropriately inserted and to read:

"Moped" means a device upon which a person may ride which has two or three wheels in contact with the ground, a motor having a maximum power output capability measured at the motor output shaft, in accordance with the Society of Automotive Engineering standards, of one and one-half horsepower (one thousand, one hundred nineteen watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the device unassisted, on a level surface at a maximum speed no greater than thirty-five miles per hour; and a direct or automatic power drive system which requires no clutch or gear shift operation by the moped driver after the drive system is engaged with the power unit.

SECTION 12. Section 291C-143, Hawaii Revised Statutes, is amended to read:

**"Sec. 291C-143 Riding on bicycles.** (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereon.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

SECTION 13. Section 291C-145, Hawaii Revised Statutes, is amended to read:

**"Sec. 291C-145 Riding on roadways and bikeways.** (a) Every person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at such time shall ride as near to the right-hand curb or edge of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction; except under any of the following situations:

- (1) When preparing for a left turn at an intersection or into a private road or driveway, except where prohibited by official traffic control devices;
- (2) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane; or
- (3) When a roadway is designated and signposted to carry traffic in one direction only and has two or more marked traffic lanes, a person operating a bicycle may ride as near to the left-hand curb or edge of such roadway as practicable.

(b) Persons riding bicycles upon a roadway shall ride in single file; provided that upon bicycle lanes and bicycle paths, riding two abreast shall be permitted when such lane or path is of sufficient width to allow riding two abreast unless otherwise prohibited by rule or ordinance adopted by the director of transportation or by the counties.

(c) Whenever a usable bicycle lane has been provided on a highway, any person operating a bicycle at a speed less than the normal speed of traffic moving in the same direction at such time shall ride within such bicycle lane, except that such person may move out of the lane under any of the following situations:

- (1) When overtaking and passing another bicycle, vehicle, or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane;
- (2) When preparing for a left turn at an intersection or into a private road or driveway; or
- (3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

(d) No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal in the event that any vehicle may be affected by the movement.

(e) No person shall operate or ride a bicycle within a bicycle lane in any direction except that permitted of vehicular traffic traveling on the same side of the highway. Upon all bicycle paths of sufficient width and providing for two-way movement of bicycle traffic, bicycles proceeding in opposite directions shall pass each other to the right.

(f) The director of transportation by rule and the counties by ordinance may with respect to bikeways under their respective jurisdictions restrict or prohibit the use of such bikeways by mopeds.

SECTION 14. Section 291C-147, Hawaii Revised Statutes, is amended to read:

**"Sec. 291C-147 Lamps and other equipment of bicycles.** (a) Any bicycle used upon any highway from thirty minutes after sunset until thirty minutes before sunrise shall display a lighted lamp, facing forward, which shall meet the following specifications:

- (1) Emit a white light;
- (2) Be visible at night when viewed from any direction within thirty degrees to each side of the longitudinal axis toward the front of the bicycle from a distance of at least five hundred feet.

(b) A tail lamp when used on a bicycle shall meet the following specifications:

- (1) Emit a red light; and
- (2) Be visible at night when viewed from any direction within thirty degrees to each side of the longitudinal axis toward the rear of the bicycle from a distance of at least five hundred feet.

(c) A lamp meeting the specifications of subsections (a) and (b) displayed on the left arm or left leg of the bicycle operator shall be considered to meet the requirements of subsections (a) and (b).

(d) After December 31, 1974, no person shall use any bicycle upon any highway from thirty minutes after sunset until thirty minutes before sunrise unless the bicycle or the operator is equipped with Class A reflectors meeting the specifications of the Society of Automotive Engineers Standard J594d-1970, or an area of reflectorized material, as follows:

- (1) A crystal (white) reflector with a minimum of three square inches in area or six square inches of white reflectorized material on the front facing straight ahead in a position which will not be obstructed at any time when viewed from the front of the bicycle;
- (2) An amber reflector with a minimum of three square inches in area or twelve square inches of amber reflectorized material on each side facing outward;
- (3) Amber reflectors on both front and rear surfaces of all pedals;
- (4) A red reflector with a minimum of three square inches in area facing to the rear in a position which will not be obstructed at any time when viewed from the rear; and
- (5) The requirement of item (2) of this subsection shall not apply to bicycles having a reflectorized finish covering the entire bicycle frame.

(e) After December 31, 1974, no person shall use any bicycle upon the highway unless it is equipped with a bell or any other device, except a siren or a whistle which are prohibited, capable of giving a signal audible for a distance of at least one hundred feet.

(f) A bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement."

SECTION 15. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read:

**"PART \_\_\_\_\_. SPECIAL RULES FOR MOPEDS**

**"Sec. 291C- Definition.** As used in this part "FMVSS" means Federal Motor Vehicle Safety Standard as prescribed in Title 49, Part 571, Code of

Federal Regulations.

**"Sec. 291C- Effect of violations; vicarious responsibility; jurisdiction.** (a) It is a violation for any person to do any act forbidden or fail to perform any act required in this part, except as otherwise provided by law.

(b) Any negligence, misconduct, or violation of this part by a minor while driving a moped shall be imputed to the parent or guardian having custody of such minor, which person shall be jointly and severally liable with the minor for any damages caused by such negligence or misconduct and any penalty assessed by the courts for such violation.

(c) This part applies to every person driving a moped upon any roadway or highway or any other publicly owned place under the jurisdiction of the State or any county.

**"Sec. 291C- Traffic laws apply to persons driving mopeds.** Every person driving a moped upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under this chapter, except as to the special provisions of this part and except as to those provisions of this chapter which by their nature can have no application.

**"Sec. 291C- Driver's license required.** (a) No person shall drive a moped unless he possesses a valid driver's license of any category listed in section 286-102 or meets the requirements of section 286-105(3).

(b) The driver of a moped shall, upon the demand of a police officer, exhibit his driver's license.

**"Sec. 291C- Driving of mopeds.** (a) No person less than fifteen years of age shall drive a moped.

(b) No person shall drive a moped except while sitting astride the seat, facing forward, with one leg on each side of the moped.

(c) No person shall drive a moped which is carrying any other person nor shall any person other than the driver ride upon a moped.

**"Sec. 291C- Driving mopeds on roadways.** (a) Every person driving a moped upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons driving mopeds upon a roadway shall drive in single file.

(c) No person shall drive a moped on any sidewalk or area intended for use as a sidewalk, nor shall any person drive a moped on any path or other area intended for the exclusive use of pedestrians.

**"Sec. 291C- Driving mopeds on bicycle lanes and paths.** (a) Wherever bicycle lanes are provided on the roadway, moped drivers shall use such bicycle lanes.

(b) The director of transportation by rule nad the counties by ordinance may with respect to bicycle paths under their respective jurisdictions restrict or prohibit the use of such bicycle paths by mopeds. Signs clearly visible to an ordinarily observant person indicating the restriction or prohibition shall be placed along bicycle paths so designated and every moped driver shall obey the directions thereof.



**"Sec. 291C- Speed restrictions on mopeds.** (a) No person shall drive a moped at a speed other than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

(b) No person shall drive a moped at a speed greater than thirty-five miles per hour (fifty-eight kilometers per hour).

**"Sec. 291C- Clinging to vehicles, bicycles, etc.** No person driving a moped shall attach himself or the moped to any other vehicle, nor permit the rider of a bicycle, coaster, sled, or toy vehicle or any person on roller skates to be or become attached to the moped or the driver.

**"Sec. 291C- Use of lamps on mopeds.** Every moped moving upon a highway from thirty minutes after sunset until thirty minutes before sunrise and at any other time when there is insufficient ambient light to render clearly discernable persons and vehicles on the highway at a distance of two hundred feet (60.9 meters) ahead shall display a lighted headlamp and tail lamp; provided that every moped upon a highway within a tunnel shall at all times display a lighted headlamp and tail lamp.

**"Sec. 291C- Renting or selling mopeds.** (a) Every person engaged in the retail business of selling or renting mopeds shall provide the person renting or purchasing a moped with a copy of the rules for mopeds as approved by the director of transportation.

(b) Every person renting a moped to another shall keep a record for two years of the registration number of the moped so rented, the name and address of the person to whom the moped is rented, the number of the driver's license of the latter person, and the date and place when and where the driver's license was issued. This record shall be open to inspection by any police officer or the examiner of drivers or his representative.

**"Sec. 291C- Moped equipment requirements.** (a) Every moped offered for sale for use upon, sold for use upon, or used upon the roadways and highways shall be equipped with:

(1) A motor having a maximum power output capability, measured at the motor output shaft, in accordance with the Society of Automotive Engineers standards, of one and one-half horsepower (one thousand, one hundred nineteen watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the moped, unassisted, on a level surface at a maximum speed no greater than thirty-five miles per hour (fifty-eight kilometers per hour);

(2) A direct or automatic power drive system which requires no clutch or gear shift operation by the moped driver after the drive system is engaged with the power unit;

(b) The director of transportation by rules and regulations, pursuant to Chapter 91, shall establish criteria which shall comply with approved federal regulations for the following moped equipment: brake system; fuel system components; exhaust system components; steering system; handlebars; wheel rims; fenders; a guard or protective covering for drive belts, chains and rotating com-

ponents; seat or saddle; lamps and reflectors; and equipment controls; speedometer; retracting stand; horn; and identification markings.

**"Sec. 291C- Certification of compliance.** A person engaged in the business of selling mopeds shall provide to the director of finance of the county in which the mopeds are sold a certificate from the moped manufacturer that each class, type or model of moped offered for sale or sold meets the performance and equipment requirements of this part.

**"Sec. 291C- Defacing serial numbers, etc. of mopeds.** No person shall willfully deface, destroy or alter the serial number, a component part number, or identification mark placed on any moped by the manufacturer thereof.

**"Sec. 291C- Unlawful to possess certain mopeds and moped parts.** It shall be unlawful for any person to possess a moped, a moped motor, or any moped part knowing that the serial or identification number placed thereon by the manufacturer has been changed, altered, erased or mutilated."

**"Sec. 291C- Modifying moped motor; violation.** (a) A motor used to power a moped shall not be modified in any manner except as authorized by the motor manufacturer and any such modification shall not increase the power capacity of the motor above one and one-half horsepower.

(b) Violation of this section shall be a petty misdemeanor.

**"Sec. 291C- Moped liability insurance; coverage for damage by rented or leased moped.** Every person who offers a moped for rent or lease shall insure the moped against loss resulting from liability imposed by law for bodily injury, death or property damage suffered by any person other than the owner or operator of the moped arising out of the ownership, maintenance or use of the moped. The moped liability insurance shall have a coverage of not less than \$10,-000 per person and \$20,000 per accident.

SECTION 17.† Section 294-4, Hawaii Revised Statutes, is amended by amending paragraph (1) to read as follows:

"(1) Except as otherwise provided in section 294-5(c):

- (A) In the case of injury arising out of a motor vehicle accident to any person, including the owner, operator, occupant, or user of the insured motor vehicle, or any pedestrian (including a bicyclist), or any user or operator of a moped as defined in section 249-1 who sustains accidental harm as a result of the operation, maintenance, or use of said vehicle, the insurer shall pay, without regard to fault, to such person an amount equal to the no-fault benefits payable to such person as a result of such injury; or
- (B) In the case of death arising out of a motor vehicle accident of any person, including the owner, operator, occupant, or user of the insured motor vehicle, or any pedestrian (including a bicyclist), or any user or driver of a moped as defined in section 249-1, who sustains accidental harm as a result of the operation, maintenance, or use of said vehicle, the insurer shall pay, without regard to fault,

†So in original. There is no section 16.

to the legal representative of such person, for the benefit of the surviving spouse and any dependent, as defined in section 152 of the Internal Revenue Code of 1954, of such person, an amount equal to the no-fault benefits payable to such spouse and dependent as a result of the death of such person, subject, however, to the provisions of section 294-2(10).

SECTION 18. If any provision of this Act or the application thereof to any person or circumstance is held unconstitutional, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby, and it shall be conclusively presumed that the legislature would have enacted the remainder of this chapter without such invalid or unconstitutional provision.

SECTION 19. Statutory material to be repealed is bracketed. Except for Section [15]†, new material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 20. This Act shall take effect upon its approval.  
(Approved June 2, 1978.)

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†“15” substituted for 13 to correct apparent clerical error.

\*Edited accordingly.