

## ACT 130

S.B. NO. 1291

A Bill for an Act Relating to Transportation.

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

SECTION 1. Section 286-2, Hawaii Revised Statutes, is amended by amending the definition of “motorcycle” to read as follows:

““Motorcycle” means:

- (1) Every motor vehicle that has a handlebar and seating that requires the operator to straddle or sit astride on it and is designed to travel on ~~on~~ no more than three wheels in contact with the ground, but excludes a farm tractor and a moped; or
- (2) Every motor vehicle that has a steering wheel or handlebar and seating that does not require the operator to straddle or sit astride on it, ~~and~~ is designed to travel on three wheels in contact with the ground, and is called an autocycle, which is certified by the manufacturer to comply with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacture.”

SECTION 2. Section 286-81, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) A safety helmet shall not be required for any person who operates or rides as a passenger on a motorcycle or motor scooter; provided that the motorcycle or motor scooter:

- (1) Has three wheels;
- (2) Is powered by an electric motor;
- (3) Has a roll bar, roll cage, or full body enclosed cab; and
- (4) Has a seat belt assembly or a child restraint system for the driver and passenger;

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and the operator and passenger uses the seat belt or child restraint system pursuant to sections 291-11.5 and 291-11.6.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2021.

(Approved June 30, 2021.)