

STAND. COM. REP. NO. 908

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 435
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 435 entitled:

"A BILL FOR AN ACT RELATING TO MOPEDS,"

begs leave to report as follows:

The purpose of this bill is to promote traffic safety by requiring mopeds to:

- (1) Be properly equipped and in a safe condition while operated;
- (2) Be inspected annually;
- (3) Display a certificate of inspection; and
- (4) Be operated with an exhaust system that meets the original manufacturer's specifications.

One concerned individual testified in support of this bill. Cycle Imports Hawaii opposed this measure, and two concerned individuals offered comments.

Your Committee finds that although this bill is intended in part to address the noise created by inappropriate moped mufflers, concerns remain regarding:

HB435 HD1 HSCR JUD HMS 2007-2116



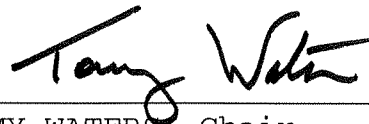
- (1) Standards for meeting "original manufacturer specifications" for mufflers;*
- (2) Uncertainty in the implementation of inspections; and
- (3) The detection of violations and enforcement of the requirements.

Your Committee has amended this bill by:

- (1) Changing the effective date to January 1, 2050, to allow for further discussion;
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 435, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 435, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 908

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 0435		Date: 2/9/07		
Committee Referral: TRN, JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. CALDWELL, Kirk	/			
4. EVANS, Cindy	/			
5. GREEN, Josh, M.D.	/			
6. ITO, Ken				/
7. LUKE, Sylvia	/			
8. McKELVEY, Angus L.K.	/			/
9. MORITA, Hermina M.	/			
10. SONSON, Alex M.	/			
11. SOUKI, Joseph M.	/			
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. YAMASHITA, Kyle T.	/			
15. MARUMOTO, Barbara C.	/			
16. PINE, Kymberly Marcos				/
17. THIELEN, Cynthia	/			
TOTAL	14			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <div style="text-align: center; font-size: 24pt; font-family: cursive;">Tommy Waters</div>				
Distribution: Original (White) - Committee Duplicate (Yellow) - HMSO Duplicate (Pink) - Clerk's Office				