

**For Immediate Release: April 15, 2020**

Press Release by:

Councilmember Michael J. Molina



***Molina's Bill stiffens Penalties for Unlicensed Bike Tours Operations***

WAILUKU – Maui County Council to consider a bill that would increase penalties for bike tour activities operating without a permit. The bill is identified as “BILL NO. 50 (2020)” entitled “A BILL FOR AN ORDINANCE AMENDING SECTIONS 5.22.050 AND 5.22.060, MAUI COUNTY CODE, RELATING TO PENALTIES FOR UNLAWFUL BIKE TOUR OPERATIONS.”

The purpose of Bill No. 50 (2020) (Bill 50), introduced by Councilmember Michael J. Molina will double the penalties for operating a bike tour activity without a permit.

Bill No. 50 was passed on first reading by the County Council on Friday, April 3, 2020 and will be considered for second reading.

Currently, Section 5.22.050, Maui County Code (MCC), states bike tour operations shall “at all times keep the permit in a prominent place”; “any person failing to comply with the requirement shall be fined not less than \$10 nor more than \$50.”

Additionally, Section 5.22.060, MCC, states bike tour operations who engages in bicycle tours without first obtaining a permit “shall be ordered to discontinue the bicycle tour business and fined not less than \$100 nor more than \$500.”

Bill 50 will increase penalties for a lack of prominent display of the permit to “not less than \$20.00 nor more than \$100” and increase penalties for operating without a permit to “not less than \$200 nor more than \$1,000.” Both fines double the current penalty amounts.

“The current penalties were established in 1995 and are seriously outdated said Molina.”

Councilmember Molina introduced Bill 50 as a result of concerns by Paia residents regarding the escalation of bike tour operations. Accordingly, Molina requested the Department of Police (MPD) to consider increasing surveillance to determine if the bike tour operations were properly permitted.

March 1978

Dear Mr. [Name]

I have received your letter of the 15th and am pleased to hear that you are interested in the [Project Name]. The [Project Name] is a [description of the project] and we are currently looking for [type of people] to join our team.

As a result of your application, we have decided to [action taken]. We will be in touch with you again in the near future regarding the next steps in the process.

Thank you very much for your interest in [Project Name]. We hope to hear from you again soon.

Yours faithfully,  
[Name]

[Address]

[Address]

[Address]

[Address]

In November 2019, MPD, Paia Community Officer advised Councilmember Molina that several bike tour operations in Paia Town did not have proper bike tour activities permits. The Community Officer also suggested that increased penalties could act as a deterrent to illegal operations.

“Penalties for unpermitted bike tour operations are so low and insignificant that the fines are not enough of a deterrent, said Molina. This bill will put more teeth into preventing illegal operations.”

“A message needs to be sent, that if you intend on conducting business in Maui County you need to play fair and abide by the rules”, said Molina.

In correspondence dated March 11, 2020, Chief Tivoli S. Faaumu, MPD noted to Councilmember Molina that the Department “supports increased penalties for unlawful bike tour operations.”

Chief Faaumu also noted that “the current penalties are outdated and should be increased consistent to the current economic environment.”

Bill No. 50 (2020) will be considered for second and final reading at the County Council meeting of April 17, 2020, at 9:00 a.m. in the Council Chamber.

*\* Mike Molina is Chair of the Council’s Governance, Ethics, and Transparency Committee. He holds the council seat for the Makawao-Haiku-Paia residency area. Go to [mike.molina@mauicounty.us](mailto:mike.molina@mauicounty.us) for more information or call 270-5507.*

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ORDINANCE NO. \_\_\_\_\_

BILL NO. 50 (2020)

A BILL FOR AN ORDINANCE AMENDING SECTIONS  
5.22.050 AND 5.22.060, MAUI COUNTY CODE,  
RELATING TO PENALTIES FOR UNLAWFUL BIKE TOUR OPERATIONS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 5.22.050, Maui County Code, is amended to read as follows:

**“5.22.050 Inspection of permit.** Any person or business issued a permit under this chapter [shall] must at all times keep the permit in a prominent place, convenient for inspection, while engaging in bicycle tour activities. Any person failing to comply with the requirement of this section [shall] will be fined not less than ~~[\$10]~~ \$20 nor more than ~~[\$50.]~~ \$100.”

SECTION 2. Section 5.22.060, Maui County, is amended to read as follows:

**“5.22.060 Unlawful bicycle tour [~~operations—Penalty—Forfeiture.~~] operations—penalty—forfeiture.** Any business or person who engages in bicycle tour activities without first obtaining a permit issued in conformity with this chapter [shall] will be ordered to discontinue the bicycle tour business and fined not less than ~~[\$100]~~ \$200 nor more than ~~[\$500.]~~ \$1,000.”

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

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

APPROVED AS TO FORM  
AND LEGALITY:



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DAVID A. GALAZIN  
Department of the Corporation Counsel  
County of Maui  
2020-0440/2020-0110  
PAF 20-124 2020-04-07 Ord Amd Bike Tour Operations