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## **Testimony of the Department of Commerce and Consumer Affairs**

**Before the**  
**House Committee on Transportation**  
**Tuesday, January 28, 2025**  
**10:00 a.m.**

**State Capitol, Conference Room 430 and via videoconference**

**On the following measure:**  
**H.B. 708, RELATING TO INSURANCE**

Chair Kila and Members of the Committee:

My name is Gordon Ito, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department offers comments on this bill.

The purpose of this bill is to impose insurance coverage as a prerequisite for the operation of electric bicycles in the State and establish a regulatory framework for electric bicycle insurance effective January 1, 2026.

While we appreciate the intent of the bill, the Department notes that creating a separate class of insurance for electronic bicycles may complicate the current no-fault insurance law. Electronic bicycles fall outside the scope of a bicycle under section 291C-1 of the Hawaii Revised Statutes (HRS) because it is "a vehicle operated solely by human power." Rather, electronic bicycles may fit more seamlessly under HRS § 431:10G since they are equipped with "a motor that provides assistance," and motorcycles and mopeds operate with a propelled system as defined in HRS § 286-2.

Furthermore, we are uncertain whether insurance coverage is available for electronic bicycles in Hawaii at this time. We are researching this topic.

Thank you for the opportunity to testify.

**JON N. IKENAGA**  
STATE PUBLIC DEFENDER

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January 27, 2025

Committee on Transportation  
Rep. Darius K. Kila, Chair  
Rep. Tina Nakada Grandinetti, Vice Chair  
415 South Beretania Street, Conf. Rm. 430  
State Capital  
Honolulu, HI 96813

Re: Testimony in Opposition to H.B. 708  
Hearing: January 27, 2024, 10:00 AM

Dear Chair Kila, Vice Chair Nakada Grandinetti and Committee Members:

The Office of the Public Defender strongly opposes H.B. 708 which mandates insurance coverage for electric bicycles.

The vast majority of owners and purchasers of electric bicycles purchased electric bicycles due in large part, if not completely, because of the economic savings of not having to pay for, amongst other things, insurance. In fact, there are likely a large number of electric bicycle owners and/or operators who purchased electric bicycles because they cannot afford insurance. To now require current owners of electric bicycles to obtain insurance is financially burdensome on the electric bicycle owners and operators. It is also unreasonable because there is no stated reason for this change in the proposed law.

Electric bicycles equalize transportation needs for those who cannot afford bus passes, who have no bus route near their destinations, who cannot afford to ride share to and from their locations or for parents who have purchased it for their children to get to and from school and afterschool activities. These individuals, especially youths and students, do not have the ability to purchase insurance on their own. In October 2024, Governor Josh Green extended an emergency proclamation to address the school bus driver shortage. There are insufficient resources that enable the children in Hawai'i to travel to and from school on their own. Relatedly, parents work long hours and often multiple jobs such that they are unable to pick up their children from school or drive their children to afterschool activities. Electric bicycles enable youths to travel to their destinations without hardship on their parents. Simply put, electric bicycles enable all individuals who otherwise would not be able to afford or obtain transportation to travel, work and live.

Finally, it is unfair to require electric bicycle owners and operators to carry insurance when neither mopeds nor non-electric bicycles are saddled with the same requirement and financial burden. There is no reason why electric bicycles are singled out to obtain insurance. All three modes of transportation travel at comparable speeds with similar size and maneuverability. All three forms of travel take up comparable space and can carry similar weights. Notably, all three vehicles have the right to use a lane of traffic. There is no reason why electric bicycle owners and operators should be distinguished from their non-electric and moped counterparts and mandated to obtain insurance.

Electric bicycle owners should be incentivized and thanked, similar to non-electric bicycle owners and operators, for taking a car off the road and finding a “green” mode of transportation. They should not be penalized with an insurance requirement which would inevitably cause a decline in ownership and purchasing. If there is a concern about operation or rider safety, these concerns can and should be addressed with classes or training.

Thank you for taking these comments into consideration.

Sincerely,  
/s/ Taryn Tomasa  
Deputy Public Defender



**Tommy A. Noyes :: Executive Director**  
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a registered 501 (C) 3 non-profit, EIN 27-3343903

January 26, 2025

COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Rep. Elle Cochran, Rep. Luke A. Evslin, Rep. Lisa Kitagawa, Rep. Trish La Chica, Rep. Tyson K. Miyake,  
Rep. Christopher L. Muraoka, and Rep. Elijah Pierick, Committee Members

Subject: Opposition to HB708, RELATING TO INSURANCE.  
Imposes insurance coverage as a prerequisite for the operation of electric bicycles  
in the State. Establishes a regulatory framework for electric bicycle insurance.

Aloha Committee Members,

Kauai Path, Inc. is **STRONGLY OPPOSED** to this bill, due to it being unnecessarily restrictive. Requiring insurance would have little or no safety benefits, and presents an unnecessary barrier for people that need affordable and sustainable transportation options. Requiring insurance for electric bicycle riders will deter people from adopting this eco-friendly transportation option. E-bikes are designed to be accessible to a wide range of riders, and most are intended for short commutes or recreational use, much like traditional bicycles.

As the State strives to reduce greenhouse gas emissions and vehicle miles traveled using combustion engines (as required in the court mandated Navahine v. HDOT settlement agreement) our policies and priorities must embody solutions that help people choose walking and biking more.

Instead of focusing on licensing, we endorse the sensible strategy promoted by the Hawai'i Bicycling League that calls for more inclusive policies, such as safety training and proper bike infrastructure, to ensure that everyone can safely enjoy cycling without unnecessary government restrictions.

Mahalo for the opportunity to provide testimony. Please **oppose HB 708** and help create more affordable transportation alternatives.

Respectfully,

Tommy Noyes  
Executive Director, Kauai Path, Inc.

Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-motorized multi-use paths.



peopleforbikes

P.O. BOX 2359 BOULDER, CO 80306

PeopleForBikes.org | 303.449.4893

January 27, 2025

To: Rep. Darius K. Kila, Chair  
Rep. Tina Nakada Grandinetti, Vice Chair  
Committee on Transportation

**RE: PeopleForBikes Letter in Opposition to House Bill 184, Electric Bicycle Insurance**

Dear Chair Kila, Vice Chair Nakada Grandinetti, and Members of the Committee;

I write to you on behalf of the PeopleForBikes Coalition to express our strong opposition to House Bill 798, which would establish and require insurance requirements for electric bicycles.

**1. About PeopleForBikes**

The PeopleForBikes Coalition is the sole trade association for U.S. manufacturers, suppliers and distributors of bicycle products, including electric bicycles. In 2019 PeopleForBikes merged with the Bicycle Product Suppliers Association (BPSA) to form a single trade association to represent the interests of the U.S. bicycle industry. We have over 300 members that produce goods in every segment of the bicycle market, from high-end competition bicycles to affordable kid's bikes. Our members produce the full range of components, parts, and accessories used for bicycling, as well as electric bicycles. Our membership is a true cross section of the U.S. bicycle industry.

PeopleForBikes has been the leader in working state-by-state to create modern, harmonized standards for regulation of electric bicycles throughout the United States. PeopleForBikes developed the Three-Class Model Law<sup>1</sup> to better define and regulate the various types of electric bicycles, and which has now been adopted in whole or part by 43 states and the federal government. PeopleForBikes also publishes an electric bicycle-specific Owner's Manual for use by the industry with new electric bicycles that includes content on safe and considerate riding behaviors. With our partner, Call2Recycle, PeopleForBikes created the first nationwide [program](https://www.peopleforbikes.org/electric-bikes/policies-and-laws) for safe recycling of used or damaged batteries from electric bicycles.

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<sup>1</sup> <https://www.peopleforbikes.org/electric-bikes/policies-and-laws>

## 2. Current Hawaii Laws Regarding Electric Bicycles

Hawaii has not adopted the Three-Class model and does not have extensive state laws or regulations regarding electric bicycles. [Section 291C-143.5](#) of the Statewide Vehicle Code does limit operation of electric bicycles to those age 15 or older. In response to the growing number of electric bicycles in use in Hawaii, numerous bills have been introduced that would establish various statutory requirements for these devices.

## 3. Why HB 708 is the Wrong Approach

HB 708 would create a new state-regulated insurance program to provide coverage to operators of electric bicycles. All owners of electric bicycles would be required to obtain this insurance and operators would need to carry proof of insurance with them at all times. As yet, the coverages to be required under the legislation are undetermined, as are the probable administrative costs to the State and more importantly - the annual premium costs to citizens. For a number of reasons, PeopleForBikes strongly opposes requiring mandatory insurance for owners of electric bicycles.

**HB 708 will exacerbate transportation inequity.** HB 708 would extract annual insurance premiums from every owner of an electric bicycle. Such added costs pose a particularly significant barrier for low-income residents. Even small fees, combined with complicated processes, for annually insuring an electric bicycle can make it prohibitively complex and costly for residents across Hawaii to use alternative transportation. Low-income residents and communities of color are already disproportionately impacted by traffic violence; we should not burden them with additional barriers to accessing safe and affordable transportation choices. *This is why no other state has insurance requirements for electric bicycles, which are and should continue to be regulated like regular bicycles.*

**No vehicle insurance is available for electric bicycles.** In New Jersey, the only other state that has recently [proposed](#) insurance requirements for electric bicycles, the insurance industry actively opposed the bill simply because there were no policies available for owners of electric bicycles. Additionally, the insurance industry did not know how to price such policies other than to equate them with very expensive motorcycle insurance - which could annually cost consumers as much as the initial purchase price of many electric bicycles. Because of opposition from the insurance industry and numerous bicycle advocacy organizations this bill did not advance. HB 708 should meet the same fate.

**HB 708 would disqualify electric bicycle operators from economic loss benefits.** Section 301(c) of HB 708 would strip away personal injury protection from any operator or passenger on an electric bicycle who is injured or killed in a crash with a motor vehicle. When a crash occurs between a motor vehicle and the operator of a bicycle or e-bike, the

operator of the smaller vehicle loses regardless of who was at fault. E-bike users (and passengers) in Hawaii should continue to have access to these important benefits under these circumstances, just like all pedestrians and all other cyclists. The cost of these benefits, when spread across all motor vehicle owners, do not significantly increase premiums. HB 708 would unfairly strip these basic protections away.

**HB 708 is anti-electric bicycle legislation.** We are also mindful of repeated attempts over time to discourage and penalize bicycle and electric bicycle use by requiring registration and insurance, practices that other states and cities have declined to do, or have abandoned because of their impracticality and harm to cycling. This tactic is designed to shift blame - in practice and perception - from motor vehicle drivers, who are responsible for many serious injuries and fatalities, to cyclists. Additionally, imposing additional legal requirements on operators of electric bicycles will lead to additional interactions with law enforcement that history has shown fall disproportionately on communities of color. If the object of this bill is to discourage and create barriers to the use of electric bicycles, it will accomplish that result.

We also question the cost/benefit justification for this legislation, which will profit private insurance companies, expand state bureaucracy and add to consumers' cost of living, while providing little in the way of benefits to citizens that they do not already enjoy under current Hawaii insurance law.

### **There are Other Ways to Improve E-Bike Safety**

PeopleForBikes has created a [Legislative Toolkit](#) with a variety of strategies for improving laws and regulations for electric bicycles, including passing Three-Class legislation, addressing "out-of-category" e-bikes, and increasing user education. Any or all of these methods would be preferable to HB 708.

**For all of these reasons, PeopleForBikes and our members strongly oppose HB 708, and we urge the Committee to not advance this harmful legislation.**

Respectfully submitted,



Matt Moore  
Policy Counsel  
[matt@peopleforbikes.org](mailto:matt@peopleforbikes.org)



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**HOUSE COMMITTEE ON TRANSPORTATION**

Tuesday, January 28, 2025 – 10:00am

**Hawai'i Bicycling League Strongly Opposes HB 708, Relating to Insurance**

Aloha Chair Kila, Vice Chair Grandinetti, and Committee Members,

My name is Travis Counsell, and I am the Executive Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

**Hawai'i Bicycling League strongly opposes HB 708**, which imposes insurance coverage as a prerequisite for the operation of electric bicycles in the State and establishes a regulatory framework for electric bicycle insurance.

Electric bicycles, electric mopeds, and other electric mobility devices serve as a way to reduce the costs of living for Hawai'i residents while also working towards the State's climate goals. These devices can reduce the need to own a vehicle, often allowing households to eliminate a vehicle and save upwards of \$10,000 per year. They can also reduce the number of vehicles being used for short trips, therefore reducing parking demand and vehicle traffic.

At the Hawai'i Bicycling League, we believe that requiring insurance for electric bicycle riders is unnecessary and creates barriers to sustainable and affordable transportation. **We are unaware of any data that suggests insurance would improve safety, nor any state in the nation that has enacted such a requirement.** E-bikes are much like traditional bicycles in terms of their risks, with most accidents involving minor injuries and are far less dangerous than motor vehicles. Requiring insurance would discourage people—especially in underserved and low-income communities—from using e-bikes, which provide an affordable and environmentally-friendly alternative to cars. Instead of focusing on insurance, HBL advocates for better bike infrastructure, safety education, and the promotion of responsible riding. These measures will better protect riders and make cycling accessible to all without imposing unnecessary financial burdens.

Mahalo for the opportunity to provide testimony. Please oppose **HB 708** and help create more affordable transportation alternatives.

Ride Aloha,

**Travis L. Counsell**  
Executive Director



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## HOUSE COMMITTEE ON TRANSPORTATION

Tuesday, January 28, 2025 – 10:00am

### Get Fit Kauai Strongly Opposes HB 708, Relating to Insurance

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Aloha Chair Kila, Vice Chair Grandinetti, and Committee Members,

My name is Bev Brody and I am the Director of Get Fit Kauai, the Health Eating Active Living Coalition of Kauai County. We are a community-focused organization dedicated to promoting health, fitness, and sustainable transportation options for residents of Kauai.

Get Fit Kauai strongly opposes HB 708, which proposes making insurance coverage a requirement for operating electric bicycles in the State and establishing a regulatory framework for electric bicycle insurance.

Electric bikes, e-scooters, and similar devices provide an affordable, eco-friendly transportation alternative that reduces the need for cars, saves money, and helps meet the state's climate goals. Requiring insurance for e-bike riders would create unnecessary barriers, especially for low-income communities who rely on these affordable options. E-bikes are similar to traditional bicycles in terms of risk, and no state requires insurance for them.

Instead of focusing on insurance, we urge the committee to support policies that invest in bike infrastructure, safety education, and responsible riding. These measures will help ensure safety and accessibility without placing additional financial burdens on riders.

Mahalo for your time and consideration. We ask that you oppose HB 708 and support more accessible, affordable transportation alternatives.

**Mahalo,**



**Bev Brody**

**Get Fit Kauai – Director**

H.E.A.L. (Healthy Eating Active Living)

Community Coalition of Kauai County

(808) 212-4765

**HB-708**

Submitted on: 1/25/2025 10:20:11 AM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Tipton	Individual	Oppose	Written Testimony Only

Comments:

Insurance is required for cars because of their mass. Due to the laws of physics - force is equal to mass multiplied by acceleration - cars can and do inflict damage - up to and including fatal.

While e-bikes have more mass than manual bikes, it is still but a fraction of the smallest car. There are no data to support requiring insurance for e-bikes. E-bikes don't cause the damage cars do, to either property to human life. We should be reducing, not increasing, the burden for alternatives to private cars.

**HB-708**

Submitted on: 1/25/2025 2:21:15 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Blackwell	Individual	Oppose	Written Testimony Only

## Comments:

I am writing to express my concern and opposition to House Bill 708, which mandates insurance coverage as a prerequisite for operating electric bicycles in Hawaii. While I understand the desire to promote safety and responsibility, I believe this bill would impose an additional financial burden on many residents, particularly in urban areas like Honolulu where the cost of living is already high.

Electric bicycles have become an essential mode of transportation for many people in Hawaii, especially for short-distance commuting. They provide an affordable and environmentally friendly alternative to cars, which is critical as we work to reduce traffic congestion and carbon emissions. For many residents, the cost of insurance for electric bicycles would be prohibitive, effectively limiting access to this important transportation option. This could disproportionately affect low- to middle-income individuals and families who rely on e-bikes for their daily commute or local errands.

Rather than implementing insurance mandates, I urge you to consider more effective and equitable safety measures. The state should focus on initiatives such as educating both riders and drivers about the importance of sharing the road safely. Increased safety awareness can help reduce accidents and ensure a safer environment for everyone, without placing an undue financial burden on individuals who are already struggling with high living costs.

Additionally, investing in infrastructure improvements—such as dedicated bike lanes, secure bike parking, and improved road safety—would be far more effective in reducing risks and promoting safe cycling practices. By improving these aspects, the state would not only encourage more people to use electric bicycles, but also create a more sustainable, livable environment for all.

I strongly urge you to reconsider this bill and focus on alternative safety measures that will benefit the entire community. Thank you for your attention to this important matter. I appreciate your service to the people of Hawaii and hope you will take these concerns into account.

Damien Waikoloa  
Honolulu, HI 96822

Hawai'i State Legislature  
House of Representatives - Committee on Transportation  
415 S. Beretania St.  
Honolulu, HI 96813

January 28, 2025

**RE: Oppose HB 708 - Relating to Electric Bicycles**

Aloha Chair Kila, Vice Chair Grandinetti and Members of the Committee,

**I oppose HB 708 and ask that the committee defer this bill.** This bill seeks to require insurance in order to operate an electric bike.

The additional requirement insurance adds additional costs that may not be feasible for those who are most likely to use an e-bike, whether by necessity or choice. The additional cost of insurance may be prohibitive to many individuals, so they would have to make a decision to continue illegally operating their e-bike without insurance, or having their ability to commute severely disrupted. Individuals use their e-bikes to commute to work, school or around their community and can extend their mobility range, beyond the limitations of walking or public transit.

I would ask that the legislature and this committee regulate e-bikes with specificity instead of placing cost-prohibitive requirements on mobility devices that positively impact many riders.

Mahalo for the opportunity to testify.

Damien Waikoloa

**HB-708**

Submitted on: 1/26/2025 11:14:56 AM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support. These bikes are dangerous and no one should be riding them if they are not covered by insurance.

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# A BILL FOR AN ACT

RELATING TO INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1       SECTION 1. Chapter 431, Hawaii Revised Statutes, is  
2 amended by adding a new article to be appropriately designated  
3 and to read as follows:

4                               "ARTICLE

5                               ELECTRIC BICYCLE INSURANCE

6                               PART I. GENERAL PROVISIONS

7       §431: -101 Definitions. As used in this article:

8       "Accidental harm" means bodily injury, death, sickness, or  
9 disease caused by an electric bicycle accident to a person.

10       "Class 1 electric bicycle" means an electric bicycle  
11 equipped with a motor that provides assistance only when the  
12 rider is pedaling and that ceases to provide assistance when the  
13 electric bicycle reaches the speed of twenty miles per hour.

14       "Class 2 electric bicycle" means an electric bicycle  
15 equipped with a motor that may be used exclusively to propel the  
16 electric bicycle and that ceases to provide assistance when the  
17 electric bicycle reaches the speed of twenty miles per hour.



1 "Class 3 electric bicycle" means an electric bicycle  
2 equipped with a motor that provides assistance only when the  
3 rider is pedaling and that ceases to provide assistance when the  
4 electric bicycle reaches the speed of twenty-eight miles per  
5 hour.

6 "Electric bicycle" means bicycle or tricycle equipped with  
7 fully operable pedals, a seat or saddle for the use of the  
8 rider, and an electric motor of less than seven hundred fifty  
9 watts that meets the requirements of a class 1 electric bicycle,  
10 class 2 electric bicycle, or class 3 electric bicycle.

11 "Electric bicycle accident" means an accident arising out  
12 of the operation, maintenance, or use of an electric bicycle,  
13 but not involving a motor vehicle.

14 "Injury" means accidental harm not resulting in death.

15 "Person" means, when appropriate to the context, not only  
16 individuals, but also corporations, firms, associations, and  
17 societies.

18 **§431: -102 Conditions of operation and registration of**  
19 **electric bicycles.** No person shall operate an electric bicycle  
20 upon any public street, road, or highway of this State at any





1 time unless such electric bicycle is insured at all times under  
2 a liability policy as provided in section 431: -301.

3       **§431: -103 Electric bicycle self-insurance.** The  
4 electric bicycle insurance required by section 431: -102 may  
5 be satisfied by any owner of an electric bicycle if:

6       (1) Such owner provides proof of qualifications as a self-  
7 insurer, and a surety bond or other securities  
8 affording security substantially equivalent to that  
9 afforded under a policy meeting the requirements of  
10 section 431: -301 and providing coverage at all  
11 times for the ownership period, as determined and  
12 approved by the commissioner under rules; and

13       (2) The commissioner is satisfied that in case of injury,  
14 death, or property damage, any claimant would have the  
15 same rights against such owner as the claimant would  
16 have had if a policy meeting the requirements of  
17 section 431: -301 had been applicable to such  
18 electric bicycle.

19       **§431: -104 Tort liability.** (a) With respect to  
20 accidental harm incurred in or arising out of an electric  
21 bicycle accident, tort liability shall not be abolished.



(b) Any owner or operator of an electric bicycle involved in a motor vehicle accident as defined in section 431:10C-103 and who incurs accidental harm as defined in section 431:10C-103, including such person's representative or legal guardian, shall have a cause of action in tort as provided in section 431:10C-306.

**§431: -105 Verification of insurance.** Every insurer shall issue to each of its insureds a paper or electronic proof of insurance card for each electric bicycle for which a liability policy under this article is written. The electronic proof of insurance card may be accessed directly through the licensed insurer's website, application, or database. The proof of insurance card shall show the following:

(1) Name, make, year, and factory or serial number of the electric bicycle; provided that insurers of five or more electric bicycles that are under common registered ownership and used in the regular course of business shall not be required to indicate the name, make, year, and the factory or serial number of each electric bicycle;

(2) Policy number;



1 (3) Names of the insured and the insurer; and

2 (4) Effective dates of coverage including the expiration  
3 date.

4 The proof of insurance card shall be carried on, or accessible  
5 on a mobile electronic device, as defined in section 291C-137,  
6 by the person operating the insured electric bicycle at all  
7 times and shall be exhibited to a law enforcement officer upon  
8 demand.

9 **§431: -106 Penalties.** Any person who violates this  
10 article shall be subject to a citation by the police and shall  
11 be subject to a nonsuspendable fine of no less than  
12 \$ and no more than \$ for each violation.

13 Any person cited under this section shall have an  
14 opportunity to present a good faith defense, including but not  
15 limited to lack of knowledge or proof of insurance. The general  
16 penalty provision of this section shall not apply to:

17 (1) Any operator of an electric bicycle owned by another  
18 person if the operator's own insurance covers such  
19 operation;



(2) Any operator of an electric bicycle owned by that person's employer during the normal scope of that person's employment; or

(3) Any operator of a borrowed electric bicycle if the operator holds a reasonable belief that the subject vehicle is insured.

**§431: -107 Rules.** The commissioner may adopt rules pursuant to chapter 91 necessary for the purposes of this article.

## **PART II. RATES AND ADMINISTRATION**

**§431: -201 Making of electric bicycle insurance rates.**

(a) All premium rates for electric bicycle insurance shall be made in accordance with the following provisions:

(1) Rates shall not be excessive, inadequate, or unfairly discriminatory;

(2) Due consideration shall be given to:

(A) Past and prospective loss experience within and outside this State, catastrophe hazards, if any, reasonable margin for profit, and contingencies, dividends, savings, or unabsorbed premium



1 deposits allowed or returned by insurers to their  
2 policyholders, members, or subscribers;

3 (B) Past and prospective expenses both country-wide  
4 and those specially applicable to this State in  
5 the sale and administration of electric bicycle  
6 insurance; and

7 (C) Investment income from reserves, unearned  
8 insurance premiums, and other unearned proceeds  
9 received on account of electric bicycle insurance  
10 sold, and all other factors that may be deemed  
11 relevant, if they are established to have a  
12 probable effect upon losses, expense, or rates,  
13 such as but not limited to types of vehicles,  
14 occupations, and involvement in past accidents;

15 (3) The systems of expense provisions included in the  
16 rates for use by any insurer or group of insurers may  
17 differ from those of other insurers or groups of  
18 insurers to reflect the requirements of the operating  
19 methods of any insurer or group with respect to any  
20 class of insurance, or with respect to any subdivision  
21 or combination thereof for which subdivision or



1 combination separate expense provisions are  
2 applicable; and

3 (4) Risks may be grouped by classifications for the  
4 establishing of rates and minimum premiums.

5 Classification rates may be modified to produce rates  
6 for individual risks in accordance with rating plans  
7 which establish standards for measuring variations in  
8 hazards or expense provisions, or both. The standards  
9 may measure any differences among risks that can be  
10 demonstrated to have a probable effect upon losses or  
11 expenses.

12 (b) Except to the extent necessary to meet the provisions  
13 of subsection (a) (4), uniformity among insurers in any matters  
14 within the scope of this section is neither required nor  
15 prohibited.

16 **§431: -202 Rate filings.** (a) Every insurer shall file  
17 with the commissioner every manual of classification, rule,  
18 rate, rating plan, designation of rating territories, or  
19 standard for electric bicycle insurance which it proposes to  
20 use. Every filing shall state the proposed effective date of



1 the filing and the character and extent of the coverage  
2 contemplated.

3 (b) The commissioner also may accept from an advisory  
4 organization basic standards, manuals of classification,  
5 territories, endorsements, forms, and other materials, not  
6 dealing with rates, for reference filings by insurers.

7 (c) Each filing shall be accompanied by a \$ fee  
8 payable to the commissioner, which fee shall be deposited in the  
9 commissioner's education and training fund.

10 (d) A filing and any supporting information shall be open  
11 to the public upon filing with the commissioner.

12 **\$431: -203 Rate review: request by aggrieved party.**

13 (a) Any person aggrieved by the application as to such person  
14 of any classification, rule, standard, rate, or rating plan  
15 made, followed, or adopted by an insurer may make written  
16 request to the commissioner to review such application and grant  
17 the relief requested. If the commissioner finds that probable  
18 cause for the complaint exists or that the complaint charges a  
19 violation of this article, the commissioner shall conduct a  
20 hearing on the complaint according to the procedure set forth in  
21 section 431:14-118.



(b) If, after a hearing conducted pursuant to subsection (a), the commissioner finds that the complainant is entitled to relief or that any classification, rule, standard, rate, rating territory, or rating plan violates this article, the commissioner shall issue an order granting the complainant's claim for relief or prohibiting the insurer from using such classification, rule, standard, rate, rating territory, or rating plan. The order shall contain the commissioner's findings of fact and conclusions of law, including a specification of the respects in which a violation of this article exists and specifying a reasonable time period within which the insurer shall comply with the terms of the order. Any such order shall be subject to judicial review in the manner provided in chapter 91.

**§431: -204 Rate review: rate methods in noncompliance with article.** (a) If the commissioner has good cause to believe that a classification, rule, standard, rate, rating territory, or rating plan made, followed, or adopted by an insurer does not comply with the requirements of this article, the commissioner shall, unless the commissioner has good cause to believe that such noncompliance is wilful, give notice in





1 writing to each insurer, stating in what manner and to what  
2 extent such noncompliance is alleged to exist and specifying a  
3 reasonable time, not less than ten days thereafter, within which  
4 such noncompliance may be corrected. Notices under this  
5 subsection shall be confidential as between the commissioner and  
6 the parties unless a hearing is held as provided in subsection  
7 (b).

8 (b) If the commissioner has good cause to believe such  
9 noncompliance to be wilful, or if, within the period prescribed  
10 by the commissioner in the notice given under subsection (a),  
11 the insurer does not:

12 (1) Correct the noncompliance specified by the  
13 commissioner; or

14 (2) Establish to the satisfaction of the commissioner that  
15 such noncompliance does not exist,

16 then the commissioner may proceed with a hearing which shall be  
17 subject to the hearing procedure provided in section 431:14-118.

18 **§431: -205 Rate administration.** Except as otherwise  
19 provided in this article, the commissioner shall implement and  
20 evaluate electric bicycle insurance rates in compliance with  
21 article 14.



## PART III. COVERAGES AND RIGHTS

## §431: -301 Required electric bicycle policy coverage.

(a) An insurance policy covering an electric bicycle shall provide insurance in the following amounts to pay, on behalf of the owner or any operator of the insured electric bicycle, sums that the owner or any operator may legally be obligated to pay for injury, death, or damage to the property of others, except property owned by, being transported by, or in charge of the insured that arise out of the ownership, operation, maintenance, or use of the electric bicycle:

(1) Liability coverage of no less than \$ per person, with an aggregate limit of \$ per accident, for all damages arising out of accidental harm sustained as a result of any one accident; and

(2) Liability coverage of no less than \$ for all damages arising out of injury to or destruction of property, including electric bicycles and including the loss of use thereof, but not including property owned by, being transported by, or in the charge of the insured, as a result of any one accident.

(b) At the option of the owner, each insurer shall:



(1) Offer medical payment coverage up to \$ to pay all reasonable expenses incurred within one year from the date of accident for necessary medical, surgical, dental, ambulance, hospital, professional, and nursing services;

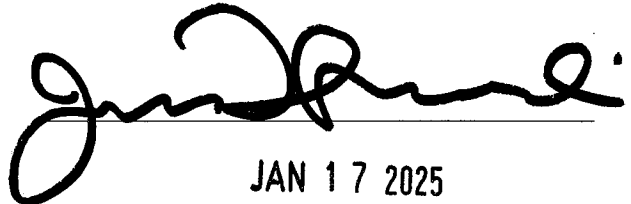
(2) Offer an income disability plan; and

(3) Offer liability coverage in excess of the minimum coverages required by this section.

(c) Any operator or passenger of an electric bicycle who receives injuries or dies in a motor vehicle accident may not claim personal injury protection benefits under a motor vehicle insurance policy, unless expressly provided for in the motor vehicle policy."

SECTION 2. This Act shall take effect on January 1, 2026.

INTRODUCED BY:

  
JAN 17 2025

# H.B. NO. 708

**Report Title:**

Electric Bicycles; Insurance

**Description:**

Imposes insurance coverage as a prerequisite for the operation of electric bicycles in the State. Establishes a regulatory framework for electric bicycle insurance. Effective 1/1/2026.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



**HB-708**

Submitted on: 1/26/2025 3:39:38 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Rogers	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Kila, Vice Chair Nakada Grandinetti and Committee Members,

I oppose HB708. Which imposes insurance coverage as a prerequisite for the operation of electric bicycles in the State and establishes a regulatory framework for electric bicycle insurance. This bill fails to recognize that under §291C-1 a low-speed electric bicycle is a bicycle and therefore should not be treated differently than a bicycle. Redefining electric bicycles should not be done in Chapter 431 - Insurance, it should be done in Chapter 291C - Statewide Traffic Code.

It seems the intent of this bill is to make it more complicated for a person to own and operate an electric bicycle, while at the same time the State and City are providing incentives and building infrastructure so that more people will use alternative transportation to make their daily commutes.

I understand that there is a problem with the proliferation of the use of electric bicycles by folks not educated in the rules of the road or understanding traffic laws. Requiring Insurance to operate an electric bicycle will make it much harder for those of us who can't afford to own a car or would rather ride a bicycle.

Currently the rules are vague about where one can ride a bicycle when not on a roadway or street. §291C-148 states - *(b) Unless otherwise prohibited, a bicycle may be driven at a speed of ten miles per hour or less on a sidewalk or sidewalk area; provided that the driver of the bicycle shall yield the right-of-way to any pedestrian and that bicycle riding shall be prohibited on sidewalks in business districts.* I believe the legislature's time would be better spent requiring the state and city transportation departments to specifically define where and when bicycles can be driven on sidewalks and requiring signage posted to its prohibition or rules of use. I have ridden a bicycle in many municipalities where the rules and prohibitions are clearly posted along a pathway. Self-enforcement becomes much easier when everyone knows the rules.

In Ewa there are multi-use paths, shared-use paths or wide sidewalks (I do not know what to call them because the traffic code does not define them.) that run the length of Fort Weaver Road, Kapolei Parkway, and Kualakai Parkway. These pathways are at least 10 feet wide and are used by pedestrians, bicycles, electric bicycles, mopeds, electric motorcycles and all the other self-propelled or electric micro-mobility vehicles. There are no signs along these paths that explain the rules of use of these facilities. Although the law is clear about yielding the right-of-way to

pedestrians while using a sidewalk posting signage regarding the rules of their use would make self-enforcement and police enforcement much easier.

Best Regards,

John Rogers

Transportation Co-chair Ewa Neighborhood Board #23

**HB-708**

Submitted on: 1/26/2025 7:45:37 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Burt Furuta	Individual	Support	Written Testimony Only

Comments:

Electric bikes are motorized; they can go much faster than pedal-powered bikes. They are quiet. Fast and quiet can be a dangerous combination. I have been surprised by electric bikes while walking. I support requiring insurance for electric bicycles.

**HB-708**

Submitted on: 1/26/2025 9:04:34 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Dunne	Individual	Oppose	Written Testimony Only

## Comments:

I am strongly opposed to HB708. Multiple studies have shown that low speed electric bicycles of Class I, II, or III do not travel significantly faster or cause any more "damage" either to roads or trails or things that they might impact in a collision than a traditional non-electric bike. Even illegally modified low-speed ebikes cannot reach speeds close to that of scooters or motorcycles. Of course, unregistered electric motorcycles (Sur-ron and Talaria brands, for example) with throttles that can be modified to run at speeds of over 40mph, are a different subject entirely.

The State Legislature would be much more efficiently used to ensure that the police and prosecutors take enforcing traffic safety laws more seriously and cracking down on uninsured motor vehicle drivers, hit and run accidents, reckless drivers, and vehicular homicides. Here on Maui we have had three fatalities in the last several years of experienced cyclists obeying all traffic laws, caused by reckless or careless automobile drivers, and yet very little is done to punish those at fault or even lay charges in accordance with the laws regarding vulnerable road users.

Likewise, improved infrastructure, bike lanes, safety measures and driver education are much more important in ensuring the safety of all road users than requiring potentially costly insurance for low-speed e-bikes. Many or even most low-speed ebikes are never used on the roads, or are used in a safe and responsible manner by people who may not be able to afford an automobile.

We should be encouraging more people to ride their bikes in the State of Hawaii, not fewer, and we should be making the roads safer for all users, especially cyclists and pedestrians.

Thank you for this opportunity to testify, and please oppose HB708.

Andrew Dunne



**HB-708**

Submitted on: 1/26/2025 9:27:39 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheldon Miyakado	Individual	Support	Written Testimony Only

Comments:

Support

**HB-708**

Submitted on: 1/26/2025 10:26:40 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
tyler green	Individual	Support	Written Testimony Only

Comments:

I support, It is something that needs to be considered as a driver I had to pay to an EB Bike and not at fault covered the noninsured ans I disagree.

January 27, 2025

Trevor Nagamine  
PO Box 37966  
Honolulu, HI 96837  
tnagamine.nb25@gmail.com

Rep. Darius Kila, Chair  
Committee on Transportation  
Hawai'i State House of Representatives  
415 S. Beretania St. Rm. 322  
Honolulu, HI 96813

RE: HB708 — RELATING TO INSURANCE

Dear Chair Kila and Members of the Committee,

My name is Trevor Nagamine, and I am a resident of Mililani. I am also a member of Neighborhood Board No. 25 (Mililani/Waipio/Melemanu); however, I am submitting this testimony in my individual capacity, and this testimony does not reflect an official position of Neighborhood Board No. 25. I am writing today in opposition to HB708.

HB708 would mandate owners of electric bicycles to carry liability insurance. I would submit to the committee that this is not necessary; compared to motor vehicles, electric bicycles are physically incapable of causing the same level of harm as a typical car or truck in the event of an accident. Furthermore, this is inconsistent with how mopeds are regulated, as moped owners are not required to carry liability insurance. (See HRS § 286-26(i))

I respectfully ask that this bill be held or deferred indefinitely. Thank you for your time and attention to this matter.

Mahalo,

Trevor Nagamine

**HB-708**

Submitted on: 1/27/2025 5:44:34 AM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dabney Gough	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Dabney Gough. I am a resident of Kaimuki and I regularly commute to my job downtown via e-bike.

I am strongly opposed to the proposal to require e-bike riders to carry insurance. This will surely dissuade riders from commuting by bicycle, especially those who already carry insurance for their motor vehicle. We need to lower barriers to bicycle commuting - which has a direct impact on our environment, our highways, and our collective health- and not increase them. Furthermore, there's no evidence that requiring insurance for e-bike riders has any direct impact on the health and safety of anybody.

I urge you to not pass this bill, which would only create barriers for this viable alternative transportation method.

Mahalo,

Dabney