

---

---

# A BILL FOR AN ACT

RELATING TO MOPEDS.

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

1           SECTION 1. Section 291C-195, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§291C-195~~ **Driving of mopeds.** (a) No person [~~less~~]  
4 younger than fifteen years of age shall drive a moped on a  
5 highway, street, roadway, or any other public property in the  
6 State. No person [~~less~~] younger than eighteen years of age  
7 shall drive a moped unless the person wears a safety helmet  
8 securely fastened with a chin strap. The safety helmet shall  
9 meet the specifications and requirements established by rules  
10 adopted by the director.

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

14           (c) No person shall drive a moped [~~which~~] that is carrying  
15 any other person nor shall any person other than the driver ride  
16 upon a moped.

17           (d) Subsections (b) and (c) shall not apply to three-  
18 wheeled mopeds designed to carry a driver and passenger seated



1 side by side. The driver of a three-wheeled moped shall have  
2 bodily injury and property damage insurance but shall not be  
3 required to have personal injury protection insurance."

4 SECTION 2. Section 291C-196, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§291C-196 Driving mopeds on roadways. (a) Every person  
7 driving a moped upon a roadway at a speed less than the normal  
8 speed of traffic moving in the same direction at such time shall  
9 ride as near to the right side of the roadway as practicable,  
10 exercising due care when passing a standing vehicle or one  
11 proceeding in the same direction, except under any of the  
12 following situations:

- 13 (1) When preparing for a left turn at an intersection or  
14 into a private road or driveway, except where  
15 prohibited by official traffic-control devices;
- 16 (2) When reasonably necessary to avoid conditions  
17 (including, but not limited to fixed or moving  
18 objects, vehicles, bicycles, pedestrians, animals,  
19 surface hazards, or substandard width lanes) that make  
20 it unsafe to continue along the right-hand curb or  
21 edge;

1 (3) When a roadway is designated and signposted to carry  
2 traffic in one direction only and has two or more  
3 marked traffic lanes, a person operating a moped may  
4 ride as near to the left-hand side of the roadway as  
5 practicable.

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

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

12 (d) Three-wheeled mopeds shall:

13 (1) Be operated only on roadways with posted speed  
14 limits of thirty-five miles per hour or less; and

15 (2) Not be operated in bicycle lanes."

16 SECTION 3. Section 291C-197, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18 "(a) Wherever bicycle lanes are provided on the roadway,  
19 moped drivers other than three-wheeled moped drivers shall use  
20 [~~such~~] bicycle lanes."

21 SECTION 4. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.



S.B. NO. 1709  
S.D. 1  
H.D. 2  
C.D. 1

**Report Title:**

Moped

**Description:**

Exempts certain three-wheeled mopeds from passenger and seating restrictions on the operation of mopeds. Places additional restrictions on three-wheeled mopeds. (CD1)

