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# 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 than  
4 fifteen years of age shall drive a moped on a highway, street,  
5 roadway, or any other public property in the State. No person  
6 less than eighteen years of age shall drive a moped unless the  
7 person wears a safety helmet securely fastened with a chin  
8 strap. The safety helmet shall meet the specifications and  
9 requirements established by rules adopted by the director.

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

13 (c) No person shall drive a moped which is carrying any  
14 other person nor shall any person other than the driver ride  
15 upon a moped.

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



1        (e) Three-wheeled mopeds shall be insured for liability  
2 and property damage, excluding personal injury protection."

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

5        "**§291C-196 Driving mopeds on roadways.** (a) Every person  
6 driving, except a three-wheeled moped, a moped upon a roadway at  
7 a speed less than the normal speed of traffic moving in the same  
8 direction at such time shall ride as near to the right side of  
9 the roadway as practicable, exercising due care when passing a  
10 standing vehicle or one proceeding in the same direction, except  
11 under any of the following situations:

12        (1) When preparing for a left turn at an intersection or  
13        into a private road or driveway, except where  
14        prohibited by official traffic-control devices;

15        (2) When reasonably necessary to avoid conditions  
16        (including, but not limited to fixed or moving  
17        objects, vehicles, bicycles, pedestrians, animals,  
18        surface hazards, or substandard width lanes) that make  
19        it unsafe to continue along the right-hand curb or  
20        edge;

21        (3) When a roadway is designated and signposted to carry  
22        traffic in one direction only and has two or more



1 marked traffic lanes, a person operating a moped may  
2 ride as near to the left-hand side of the roadway as  
3 practicable.

4 (b) Persons driving mopeds upon a roadway shall drive in  
5 single file.

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

10 (d) A three-wheeled moped shall be restricted to traveling  
11 on roadways with a posted speed limit of thirty-five miles per  
12 hour or less."

13 SECTION 3. Section 291C-197, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 " [H]§291C-197 [H] **Driving mopeds on bicycle lanes and**  
16 **paths.** (a) Wherever bicycle lanes are provided on the roadway,  
17 moped drivers shall use such bicycle lanes.

18 (b) The director of transportation by rule and the  
19 counties by ordinance may with respect to bicycle paths under  
20 their respective jurisdictions restrict or prohibit the use of  
21 such bicycle paths by mopeds. Signs clearly visible to an  
22 ordinarily observant person indicating the restriction or



1 prohibition shall be placed along bicycle paths so designated  
2 and every moped driver shall obey the directions thereof.

3 (c) This section shall not apply to a three-wheeled  
4 moped."

5 SECTION 4. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on January 1, 2112.



**Report Title:**

Mopeds

**Description:**

Exempts certain three-wheeled mopeds from seating and passenger restrictions on the operation of mopeds. Requires liability and property damage insurance on three-wheeled mopeds. Restricts three-wheeled mopeds to roadways with speed limits of 35 mph or less. (SD1)

