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## A BILL FOR AN ACT

RELATING TO THEFT.

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

1           SECTION 1. The legislature finds that addressing Hawaii's  
2 high cost of living means empowering residents with cheaper  
3 options to commute, especially for our next generation. In the  
4 year 2000, ninety-nine per cent of all eighteen to nineteen-  
5 year-old residents held driver's licenses. Today, that number  
6 has fallen to just sixty per cent. People are more frequently  
7 using alternative transportation such as commuting by bicycle at  
8 significant cost savings.

9           Bicycles are less burdensome on the State's infrastructure.  
10 Every resident that transitions from commuting by car to  
11 commuting by bicycle reduces road wear, congestion, and traffic.  
12 Bicycles also produce zero emissions and can replace dirtier  
13 means of transportation, thereby reducing the State's dependence  
14 on imported fossil fuels.

15           However, the legislature also finds that bicycle theft is a  
16 growing challenge. Bicycle theft is a particularly pernicious  
17 property offense against residents who commute by bicycle,



1 especially to work. As a result, bicycle theft can deprive a  
2 person of their property interest and their ability to earn  
3 income. For this very reason theft of a vehicle, regardless of  
4 value is an expressly defined offense.

5 Currently, there is no expressly defined offense for theft  
6 of a bicycle. Theft of a bicycle valued at \$750 or more is a  
7 class C felony under the offense of theft in the second degree  
8 in section 708-831, Hawaii Revised Statutes. However, many  
9 bicycles are sold below the \$750 threshold, which contributes to  
10 both their popularity as a means of reducing cost of living, and  
11 as a target for theft since there exists little penalty.  
12 Therefore, in order to deter theft of all bicycles, and in  
13 consideration of the important role of bicycles in many working  
14 families' lives, the legislature believes that theft of a  
15 bicycle of any value should be expressly defined in the penal  
16 code similarly to theft of a vehicle.

17 The purpose of this Act is to create the offense of theft  
18 of a bicycle as a class C felony.

19 SECTION 2. Chapter 708, Hawaii Revised Statutes, is  
20 amended by adding a new section to part IV to be appropriately  
21 designated and to read as follows:



1           "§708- Theft of a bicycle. (1) A person commits the  
2 offense of theft of a bicycle if the person commits theft of a  
3 bicycle by any means under section 708-830.

4           (2) For the purposes of this section, "bicycle" means:

5           (a) A vehicle propelled solely by human power upon  
6 which any person may ride, having two tandem  
7 wheels, and including any vehicle generally  
8 recognized as a bicycle though equipped with two  
9 front or two rear wheels except a toy bicycle; or

10           (b) A low-speed electric bicycle, as defined under  
11 title 15 United States Code section 2085.

12           (3) Theft of a bicycle is a class C felony."

13           SECTION 3. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16           SECTION 4. New statutory material is underscored.



# H.B. NO. 2571

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

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INTRODUCED BY:

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# H.B. NO. 2571

**Report Title:**

Theft; Bicycle; Felony

**Description:**

Creates the offense of theft of a bicycle as a class C felony.

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