

TESTIMONY BY:

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LATE

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 5, 2020
1:15 P.M.
State Capitol, Room 225

S.B. 2199
RELATING TO TRANSPORTATION.

Senate Committee on Transportation

The Department of Transportation (DOT) **opposes** S.B. 2199 which establishes a definition for a six passenger (plus the driver) rickshaw motorcycle with a top speed of 55 mph and allow it to be driven with a class 3 driver's license.

The vehicle is a motorcycle that has been configured to serve as a car, without meeting the Federal Motor Vehicle Safety Standards (FMVSS) of a car. Cars must comply with at least 45 safety standards, whereas motorcycles need to comply with only 9. Since motorcycles are inherently more dangerous than cars, they have historically been limited to two occupants in Hawaii. Allowing seven occupants will significantly increase the potential for injury when a vehicle like this is in a crash.

The bill is not consistently clear regarding the number of passengers that are allowed to ride in the vehicle. Section 2, paragraph (3) of the bill makes it clear that a total of seven occupants are allowed. Section (4) (a) of the bill is modified by adding an exception for electric rickshaws so the occupants can ride without sitting astride. However, the next proposed sentence is a bit confusing, because the words "a passenger" are used. To clarify that the driver plus one or more passengers must ride in a permanent seat, the wording should be changed to "in which event each occupant shall ride upon a seat that is firmly attached to the electric rickshaw to the rear of the operator." Our current law allows autocycles, motorcycles and motor scooters to carry only one passenger.

To summarize, DOT has concerns over allowing these rickshaws to be operated on public roads. The rickshaws are not crash tested, so even though seat belts are installed, we don't know how well they will work in a crash. The rickshaws have no side impact or rollover standard, so if these vehicles are hit from any direction by a car or truck, the occupants could be seriously injured. When viewing the vehicle, the fact that it has a body or a shell covering the chassis gives the impression that it is like a car and therefore as safe as a car, especially with seat belts and complying with FMVSS are mentioned. However, the vehicle appears to lack structural reinforcement to help

protect occupants like a car would. If the vehicle is struck from the side, it will have a higher than normal probability of rolling over, because it has only three wheels.

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Thank you for the opportunity to provide testimony.

From: [Sen. Lorraine R. Inouye](#)
To: [Sydney Hart](#)
Cc: [Inouye1 - Lauren](#)
Subject: Fw: Testimony: SB2199
Date: Tuesday, February 4, 2020 3:41:48 PM
Attachments: [e-Tuk USA \(Manufacturer Data Plate\).pdf](#)
[EU Approval Certificate \(Classified as L5e Car\).pdf](#)
[California License Plate.png](#)
[Illinois License Plate.png](#)
[New Jersey License Plate.png](#)
[E-Tuk USA \(Vehicle Overview & Safety Diagram\).pdf](#)
[E-Tuk USA \(Company Overview: Shuttle Services\).pdf](#)

From: Benjamin Richards <iq_events@yahoo.com>
Sent: Tuesday, February 4, 2020 9:49 AM
To: Charles Izumoto <c.izumoto@capitol.hawaii.gov>; Sen. Sharon Y. Moriwaki <senmoriwaki@capitol.hawaii.gov>; Sen. Lorraine R. Inouye <seninouye@capitol.hawaii.gov>; Rep. Henry J.C. Aquino <repaquino@capitol.hawaii.gov>
Subject: Testimony: SB2199

TESTIMONY:
from the Operator of the
e-Tuk "Honolulu Experience"

To: Senator Lorraine R. Inouye,
Senator, District 4
State Of Hawaii

To: Representative Henry J.C. Aquino,
House District 38,
State Of Hawaii

To: Senator Sharon Y. Moriwaki,
Senator, District 12
State Of Hawaii

From: Benjamin Richards, CEO
Las Vegas Tuk Tuk, LLC

Re: e-Tuk "Honolulu Experience";
Testimony for SB2199; Hearing
date on February 5, 2020, 1:15pm

Date: February 4, 2020

Dear Senator Lorraine R. Inouye,
Senator Sharon Y. Moriwaki,
Representative Henry J.C. Aquino,

I am a constituent of Senator Sharon Y. Moriwaki and Representative Tom Brower. My daughter attends Ala Wai Elementary, which I am proud to say was recently featured on the front page of the Honolulu Star Advertiser, I attach a photo for your reference. The office of Senator Moriwaki has introduced legislation regarding the operation of Electric Rickshaws that is being considered by transportation committees at a hearing being held

on February 5, 2020.

We have been advised by Hawaii DOT Officials to seek a legislative solution as our most viable path forward in order to license and operate the e-Tuk "Honolulu Experience" tourist service here in Hawaii. We are launching a similar service this year in Las Vegas, and Singapore, with policy support from the Singapore Tourism Board. It is our belief that Honolulu tourists would benefit from this service and it would improve an already vibrant tourism landscape.

The e-Tuk vehicle is certified by the US DOT and currently operates in 32 US States and several EU nations. When e-Tuks were introduced in the US, its distributor e-Tuk USA made several modifications to meet DOT certification requirements, and they also operate a fleet of tourist vehicles in Denver. Tourists love the e-Tuk because it provides a breezy, visceral experience of the natural environment, which makes it especially suitable for a "green city" like Honolulu.

To bring this tourist service to Hawaii, Section 291C-152 Hawaii Revised Statute would need to be revised first. While these 7-passenger vehicles operate as Tourist Shuttles, certified for the transport of passengers in several US states and UE nations, e-Tuks are unique three-wheel electric vehicles. The e-Tuk has overcome challenges from Paris to Singapore with policy support from local officials, the Singapore Tourist Board liaised directly with the Minister of Transportation.

Here in Honolulu we suggest there are several reasons the e-Tuk "Honolulu Experience" is good for Hawaii. These are electric "green" vehicles which helps promote Honolulu as a "green city", this service is an attractive transportation option for Honolulu visitors, the e-Tuk "Honolulu Experience" is beneficial to the city's tourism economy. Asian Tourists especially that come to Honolulu will be familiar with this vehicle and be charmed to see it here.

Similar to Las Vegas, we seek to provide three tourist services, here in Honolulu. First; *Special Services*, in which tourists flag the vehicle as it circulates around resorts, attractions and Waikiki. Second; *Charter Services*, in which tourists engage the vehicle for extended charters like for weddings and corporate events. Third; *Scenic Tours*, in which tourists book two-hour journeys with unique perspectives on Hawaii's history, culture, landmarks and attractions.

The Hawaii Officials I have spoken with have been helpful and folks in the tourism industry I have spoken with are quite supportive of the prospect of adding the e-Tuk "Honolulu Experience" to the tourism landscape of Honolulu. Indeed, this service has already improved the tourism landscape in cities like Paris, where they operate along the Champs-Élysées, to Denver where they operate in the city's trendy Rino District and also features unique city tours.

While it is logical that motorcycles are operated as private transport only, it is our contention that this 7-passenger electric e-Tuk vehicle which is certified by the US DOT and used for the public transport of passengers in several US States including California, should find a home here in Hawaii as well with the enactment of this legislation currently being considered. Sometimes a fresh look at laws on the books empowers new innovations that improve our communities.

We submit that the e-Tuk "Honolulu Experience" is a *green transport service* in line with Hawaii Clean Energy Initiative 2045 objectives. Please see this Weblink for the e-Tuk "Singapore Experience" generated for the Land Transport Authority in Singapore which is another world city *Going Green*. We respectfully submit this testimony for consideration and are grateful to Senator Moriwaki for introducing this legislation to facilitate licensing of these green vehicles in Hawaii.

Thanks for your consideration!

Sincerely,

Benjamin Richards, CEO
Las Vegas Tuk Tuk, LLC

ig_events@yahoo.com

702.752.3234

Safety Record & DOT Certification:

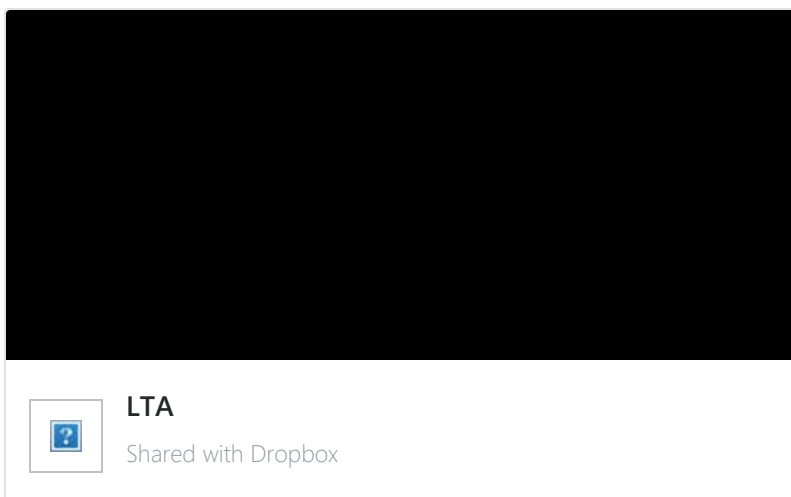
- e-Tuk USA made several vehicle modifications, reference these attachments, to obtain US DOT certification of the vehicle here.
- e-Tuk USA is the sole US manufacturer of this e-Tuk vehicle, which operates in 32 US States, for the purpose of transporting the general public.
- States generally defer to the federal US DOT certification of the e-Tuk, with respect to vehicle safety and locally facilitate Vehicle Registration.
- These e-Tuks are low speed vehicles with a top speed of 25mph, operating only on surface streets with seat belts for all passengers.
- In Hawaii; other exotic transport is licensed like open-top buses, helicopter tours and catamarans on the open sea ~ to service the tourism industry.
- Operated by licensed drivers at low-speeds, e-Tuk USA vehicles have a perfect safety record, providing tourists sensational journeys along the way.

Attachments; Certification:

- 2020-0165 SB SMA-2 Electric Rickshaw
- e-Tuk USA (Manufacturer Data Plate)
- EU Approval Certificate (Classified as L5e Car)
- California, Illinois, New Jersey License Plates
- E-Tuk USA (Company Overview; Shuttle Services)
- E-Tuk USA (Vehicle Overview & Safety Diagram)

**DROPBOX LINK: LTA FILES
e-Tuk "Singapore Experience"**

[LTA](#)



On Friday, January 31, 2020, 02:52:59 PM PST, Charles Izumoto <c.izumoto@capitol.hawaii.gov> wrote:

Hi Ben, a hearing has been set for the Senate bill. Please submit testimony and try to attend if you can. The more testimony the better so see if you can get other people to submit testimony in support of the measure as well.

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2199&year=2020

Charles P. Izumoto

Office Manager, State Senator Sharon Moriwaki

Hawaii State Senate, District 12 (Ala Moana, Kaka'ako, McCully, Mo'ili'ili, Sheridan, Waikiki)

415 S. Beretania St. Rm. 223, Honolulu, Hawaii, 96813

Phone: (808) 586-6740 | Fax: (808) 586-6829 | Email: c.izumoto@capitol.hawaii.gov