
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Electric bicycles have become widely available
2 for personal transportation and are popular among citizens of
3 all ages. In March 2023, there were five thousand three hundred
4 registered electric bicycles. This figure is potentially higher
5 considering that many owners do not register their bikes,
6 especially if they are purchased online.

7 Hawaii's law defines electric bicycles as a "low-speed
8 bicycle" with an assisted maximum speed of less than twenty
9 miles per hour. While electric bicycles are more convenient and
10 affordable than automobiles, they are a safety hazard when
11 ridden on sidewalks and in the middle of traffic lanes. Riders
12 often make modifications to electric bicycles with an
13 aftermarket delimiter allowing them to reach speeds of over
14 thirty miles per hour, which is nearly ten times faster than the
15 average walking speed of a person. Currently, persons under the
16 age of fifteen cannot operate an electric bicycle by law; yet



1 most e-bikes are ridden by adolescents between the ages of
2 twelve and seventeen.

3 In December of 2023, the department of transportation
4 reported nine bicyclist fatalities, the highest recorded number
5 of deaths among bicyclists in Hawaii to date. Furthermore,
6 electric bicycles can seriously injure pedestrians in a
7 collision and operators are at risk from motorists who do not
8 expect a small, silent, and motorized device riding near them.
9 The legislature finds, in the wake of a recent surge in
10 ridership accidents, it is critical to address this issue with a
11 comprehensive approach of public outreach in combination with
12 educational campaigns and stricter enforcement against the
13 unlawful use of electric bicycles.

14 The purpose of this Act is to:

- 15 (1) Categorize electric bicycles into three classes based
16 on speed and operation;
- 17 (2) Establish more stringent regulations for electric
18 bicycles;
- 19 (3) Require electric bicycle manufacturers and
20 distributors to apply a label to each electric bicycle



- 1 specifying the classification number, top assisted
2 speed, and motor wattage of the electric bicycle;
- 3 (4) Impose a requirement that counties inform individuals
4 of the applicable traffic code, safety information,
5 and penalties for violations at the time of
6 registering a bicycle;
- 7 (5) Authorize county police to confiscate bicycles for
8 certain offenses; and
- 9 (6) Increase penalty fee paid upon redemption.

10 SECTION 2. Chapter 291C-143.5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[+]§291C-143.5[+] [~~Low-speed electric~~] Electric
13 bicycles [~~operator age~~]. (a) This section shall apply
14 whenever an electric bicycle is operated upon any highway,
15 street, roadway, or other designated public area set aside for
16 the use of electric bicycles.

17 (b) No person under the age of fifteen shall operate [~~a~~
18 ~~low-speed~~] an electric bicycle [~~as defined under title 15 United~~
19 ~~States Code section 2085.~~] on a highway, street, roadway, or any
20 other public property in the State.



1 (c) No person shall operate an electric bicycle that is
2 carrying any other person, nor shall any person other than the
3 operator ride upon an electric bicycle.

4 (d) No person operating an electric bicycle shall carry
5 any package, bundle, or article which prevents the use of both
6 hands in the control and operation of the bicycle. A person
7 operating an electric bicycle shall keep at least one hand on
8 the handlebars at all times.

9 (e) Any person who operates an electric bicycle recklessly
10 in disregard of the safety of persons or property shall be
11 assessed penalties as set forth in section 291C-161(b).

12 (f) No person shall operate an electric bicycle at a speed
13 other than is reasonable and prudent and having regard to the
14 actual and potential hazards and conditions then existing;
15 provided that no person shall operate an electric bicycle at a
16 speed greater than twenty-eight miles per hour.

17 (g) Any electric bicycle shall meet the specifications of
18 and requirements for lamps and other equipment on bicycles as
19 set out in section 291C-147; provided that in lieu of the
20 requirement of section 291C-147(b), every electric bicycle shall
21 be equipped with a lighted lamp that is visible from the rear.



1 (h) No person shall operate an electric bicycle unless the
2 person wears a safety helmet securely fastened with a chin
3 strap. The safety helmet shall meet the specifications of and
4 requirements for a bicycle helmet as set out in section 291C-
5 150.

6 (i) No electric bicycle shall be operated on a sidewalk,
7 sidewalk area, pedestrian overpass, or pedestrian underpass,
8 except as may be authorized by ordinances or rules adopted by
9 the county.

10 (j) No person shall tamper with or modify an electric
11 bicycle so as to change the motor-powered speed capability or
12 engagement of an electric bicycle, or the label indicating the
13 classification number.

14 (k) No person shall operate an electric bicycle after
15 January 1, 2029 unless the electric bicycle has affixed thereto
16 in a prominent location, a manufacturer's label providing the
17 classification number, top assisted speed, and motor wattage of
18 the electric bicycle.

19 (l) The counties by ordinance may impose restrictions and
20 conditions for the regulation and safe operation of electric
21 bicycles with regard to, but not limited to, the following:



- 1 (1) Operations in or upon roadways, bikeways, bicycle
- 2 paths, and sidewalks;
- 3 (2) Restrictions on maximum speed;
- 4 (3) Safety considerations; and
- 5 (4) Hours of operation.

6 SECTION 3. Chapter 293, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§293- **Electric bicycle manufacturers and distributors;**
10 **label required.** On and after January 1, 2027, manufacturers and
11 distributors of electric bicycles shall apply a label that is
12 permanently affixed, in a prominent location, to each electric
13 bicycle. The label shall contain the classification number, top
14 assisted speed, and motor wattage of the electric bicycle. The
15 label must be printed in Arial font of at least nine-point type.
16 By January 1, 2027, manufacturer and distributors shall
17 establish a process by which an owner of an electric bicycle may
18 request and obtain a manufacturer's label applicable to the
19 electric bicycle purchased prior to January 1, 2027."

20 SECTION 4. Section 291C-1, Hawaii Revised Statutes, is
21 amended as follows:



1 1. By amending the definition of "bicycle" to read:

2 ""Bicycle" means:

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

8 (2) [~~A low-speed~~] An electric bicycle [~~, as defined under~~
9 ~~title 15 United States Code section 2085~~]."

10 2. By amending the definition of "moped" to read:

11 ""Moped" means a device upon which a person may ride that
12 has:

13 (1) Two or three wheels in contact with the ground;

14 (2) A motor having a maximum power output capability
15 measured at the motor output shaft, in accordance with
16 SAE International standards, of two horsepower (one
17 thousand four hundred ninety-two watts) or less and,
18 if it is a combustion engine, a maximum piston or
19 rotor displacement of 3.05 cubic inches (fifty cubic
20 centimeters) and that will propel the device,



1 unassisted, on a level surface at a maximum speed no
2 greater than thirty miles per hour; and

3 (3) A direct or automatic power drive system that requires
4 no clutch or gear shift operation by the moped driver
5 after the drive system is engaged with the power unit.

6 "Moped" does not include an electric foot scooter or electric
7 bicycle."

8 3. By adding a new definition to be appropriately inserted
9 and to read:

10 "Electric bicycle" means a bicycle equipped with fully
11 operable pedals, a saddle or seat for the rider, and an electric
12 motor of seven hundred fifty watts or less that meets the
13 requirements of one of the following three classes:

14 (1) Class one electric bicycle, which is an electric
15 bicycle equipped with a motor that provides assistance
16 only when the rider is pedaling, and that ceases to
17 provide assistance when the bicycle reaches the speed
18 of twenty miles per hour;

19 (2) Class two electric bicycle, which is an electric
20 bicycle equipped with a motor that may be used
21 exclusively to propel the bicycle, and that is not



1 capable of providing assistance when the bicycle
2 reaches the speed of twenty miles per hour; or
3 (3) Class three electric bicycle, which is an electric
4 bicycle equipped with a motor that provides assistance
5 only when the rider is pedaling, and that ceases to
6 provide assistance when the bicycle reaches the speed
7 of twenty-eight miles per hour."

8 SECTION 5. Section 249-1, Hawaii Revised Statutes, is
9 amended as follows:

10 1. By amending the definition of "bicycle" to read:

11 ""Bicycle" means:

12 (1) A vehicle propelled solely by human power upon which
13 any person may ride, having two tandem wheels, and
14 including any vehicle generally recognized as a
15 bicycle though equipped with two front or two rear
16 wheels except a toy bicycle; or

17 (2) [~~A low-speed~~] An electric bicycle[~~, as defined under~~
18 ~~title 15 United States Code section 2085~~]."

19 2. By amending the definition of "moped" to read:

20 ""Moped" means a device upon which a person may ride that
21 has:



- 1 (1) Two or three wheels in contact with the ground;
- 2 (2) A motor having a maximum power output capability
- 3 measured at the motor output shaft, in accordance with
- 4 SAE International standards, of two horsepower (one
- 5 thousand four hundred ninety-two watts) or less and,
- 6 if it is a combustion engine, a maximum piston or
- 7 rotor displacement of 3.05 cubic inches (fifty cubic
- 8 centimeters) and that will propel the device,
- 9 unassisted, on a level surface at a maximum speed no
- 10 greater than thirty miles per hour; and
- 11 (3) A direct or automatic power drive system that requires
- 12 no clutch or gear shift operation by the moped driver
- 13 after the drive system is engaged with the power unit.
- 14 "Moped" does not include an electric foot scooter or electric
- 15 bicycle."

16 3. By adding a new definition to be appropriately inserted

17 and to read:

18 "Electric bicycle" means a bicycle equipped with fully

19 operable pedals, a saddle or seat for the rider, and an electric

20 motor of seven hundred fifty watts or less that meets the

21 requirements of one of the following three classes:



1 (1) Class one electric bicycle, which is an electric
2 bicycle equipped with a motor that provides assistance
3 only when the rider is pedaling, and that ceases to
4 provide assistance when the bicycle reaches the speed
5 of twenty miles per hour;

6 (2) Class two electric bicycle, which is an electric
7 bicycle equipped with a motor that may be used
8 exclusively to propel the bicycle, and that is not
9 capable of providing assistance when the bicycle
10 reaches the speed of twenty miles per hour; or

11 (3) Class three electric bicycle, which is an electric
12 bicycle equipped with a motor that provides assistance
13 only when the rider is pedaling, and that ceases to
14 provide assistance when the bicycle reaches the speed
15 of twenty-eight miles per hour."

16 SECTION 6. Section 249-14, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) [~~A low speed~~] An electric bicycle~~}, as defined under~~
19 ~~title 15 United States Code section 2085,~~] shall be required to
20 be registered, and shall be subject to a permanent registration



1 fee of \$30, to be paid by the owners thereof to the director of
2 finance."

3 SECTION 7. Section 286-2, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending the definition of "bicycle" to read:

6 ""Bicycle" means:

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

12 (2) [~~A low-speed~~] An electric bicycle[~~, as defined under~~
13 ~~title 15 United States Code section 2085~~]."

14 2. By amending the definition of "moped" to read:

15 ""Moped" means a device upon which a person may ride that
16 has:

17 (1) Two or three wheels in contact with the ground;

18 (2) A motor having a maximum power output capability
19 measured at the motor output shaft, in accordance with
20 SAE International standards, of two horsepower (one
21 thousand four hundred ninety-two watts) or less and,



1 if it is a combustion engine, a maximum piston or
2 rotor displacement of 3.05 cubic inches (fifty cubic
3 centimeters) and that will propel the moped,
4 unassisted, on a level surface at a maximum speed no
5 greater than thirty miles per hour; and

6 (3) A direct or automatic power drive system that requires
7 no clutch or gear shift operation by the moped driver
8 after the drive system is engaged with the power unit.

9 "Moped" does not include an electric foot scooter or electric
10 bicycle."

11 3. By adding a new definition to be appropriately inserted
12 and to read:

13 "Electric bicycle" means a bicycle equipped with fully
14 operable pedals, a saddle or seat for the rider, and an electric
15 motor of seven hundred fifty watts or less that meets the
16 requirements of one of the following three classes:

17 (1) Class one electric bicycle, which is an electric
18 bicycle equipped with a motor that provides assistance
19 only when the rider is pedaling, and that ceases to
20 provide assistance when the bicycle reaches the speed
21 of twenty miles per hour;



1 (2) Class two electric bicycle, which is an electric
2 bicycle equipped with a motor that may be used
3 exclusively to propel the bicycle, and that is not
4 capable of providing assistance when the bicycle
5 reaches the speed of twenty miles per hour; or

6 (3) Class three electric bicycle, which is an electric
7 bicycle equipped with a motor that provides assistance
8 only when the rider is pedaling, and that ceases to
9 provide assistance when the bicycle reaches the speed
10 of twenty-eight miles per hour."

11 SECTION 8. Section 707-700, Hawaii Revised Statutes, is
12 amended by amending the definition of "vulnerable user" to read
13 as follows:

14 ""Vulnerable user" means:

- 15 (1) A pedestrian legally within a street or public
16 highway;
- 17 (2) A roadway worker actually engaged in work upon a
18 street or public highway or in work upon utility
19 facilities along a street or public highway, or
20 engaged in the provision of emergency services within



1 a street or public highway, including but not limited
2 to:

3 (a) Construction and maintenance workers; and

4 (b) Police, fire, and other emergency responders; or

5 (3) A person legally operating any of the following within
6 the street or public highway:

7 (a) A bicycle;

8 (b) A moped;

9 (c) An electric foot scooter;

10 (d) An electric personal assistive mobility device;

11 or

12 (e) A wheelchair conveyance or other personal
13 mobility device[-]; or

14 (f) An electric bicycle."

15 SECTION 9. Section 249-15, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§249-15 Seizure and sale.** (a) The directors of finance,
18 any person authoritatively acting on behalf of the director of
19 finance, or any member of a police force of the several counties
20 of the State may seize any bicycle or moped liable for the
21 payment of the required fees or which has no tag or decal



1 affixed as required by section 249-14 for bicycles, or license
2 plate and tag or emblem affixed as required by section 249-14.1
3 for mopeds [~~and may~~].

4 (b) Any member of a police force for the several counties
5 of the State may seize any bicycle for a third infraction
6 against the applicable state and county traffic code. For
7 purposes of counting prior infractions, all violations of the
8 applicable state and county traffic code shall be linked to the
9 bicycle's metallic tag or decal issued at registration.

10 (c) Any member of a police force for the several counties
11 of the State may seize any electric bicycle if the bicycle lacks
12 the speed limiter equipped by the manufacturer. Evidence by
13 laser gun or other accepted speed check method that the bike
14 exceeded twenty-eight miles per hour shall be prima facie
15 evidence that the speed limiter has been removed. Removal of
16 the speed limiter shall impose an additional \$100 penalty to the
17 redemption costs outlined in section (d).

18 (d) Once seized according to sections (a), (b), or (c),
19 the authoritative agent shall hold the bicycle or moped for a
20 period of ten days, during which time it shall be subject to
21 redemption by its owner on payment of the cost of confiscation,



1 the registration fee due if applicable, the \$100 speed limiter
2 removal penalty if applicable, and a penalty of [~~\$25~~] \$100. All
3 bicycles and mopeds not so redeemed shall be sold by the county
4 chief of police or director of finance or their authorized
5 representative, at public auction after first giving five days
6 public notice of the time and place of sale in the county where
7 the sale is to be held. Sale shall be made for the best price
8 obtainable, which amount shall be forthwith paid over to the
9 director of finance, accompanied by a statement containing a
10 description of the bicycles or mopeds, their serial number,
11 makes, and any other marks of identification. The director of
12 finance, after deducting from the amount so received the amount
13 of the fee and penalty due and costs of giving public notice,
14 shall pay any surplus to the previous registered owners of the
15 bicycles or mopeds. If at the expiration of ninety days the
16 previous registered owners remain unknown, the surplus shall be
17 paid into the treasury of the county, as a government
18 realization, and all claims to the sums shall be forever
19 barred."

20 SECTION 10. The department of transportation shall develop
21 statewide safety and training programs to educate the public



1 about general electric bicycle riding safety, rules of the road,
2 and laws pertaining to electric bicycles, no later than twenty
3 days prior to the convening of the regular session of 2026. The
4 safety and training programs shall be developed in collaboration
5 with relevant stakeholders. The department shall inform
6 individuals of the applicable traffic code, safety information,
7 and penalties for violations at the time of registering an
8 electric bicycle.

9 SECTION 11. This Act does not affect rights and duties
10 that matured, penalties that were incurred, and proceedings that
11 were begun before its effective date.

12 SECTION 12. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 13. This Act shall take effect on July 1, 2025;
15 provided that:

16 (1) Section 2(k) shall take effect on January 1, 2029; and

17 (2) Section 3 shall take effect on January 1, 2027.

INTRODUCED BY:



JAN 22 2025



H.B. NO. 1226

Report Title:

Electric Bicycles; Regulation; Penalty; Seizure; Enforcement

Description:

Categorizes electric bicycles into three classes based on speed and operation. Requires electric bicycle manufacturers and distributors to apply a label to each electric bicycle. Authorizes county police to confiscate bicycles for certain offenses. Increases penalty fee paid upon redemption. Imposes a requirement that counties inform individuals of the applicable traffic code, safety information, and penalties for violations at the time of registering a bicycle.

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