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## 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           In December of 2023, the department of transportation  
8 reported nine bicyclist fatalities, the highest recorded number  
9 of deaths among bicyclists in Hawaii to date. Furthermore,  
10 electric bicycles can seriously injure pedestrians in a  
11 collision and operators are at risk from motorists who do not  
12 expect a small, silent, and motorized device riding near them.  
13 The legislature finds, in the wake of a recent surge in  
14 ridership accidents, it is critical to address the unsafe  
15 operation of electric bicycles.

16           The purpose of this Act is to:



# H.B. NO. 486

- 1           (1) Prohibit the operation of an electric bicycle on
- 2                   highway, street, roadway, or any other areas
- 3                   designated for motor vehicles;
- 4           (2) Prohibit reckless or unsafe operation of an electric
- 5                   bicycle; and
- 6           (3) Prohibit the removal of a manufacturer- or factory-
- 7                   installed speed limiting device from an electric
- 8                   bicycle.

9           SECTION 2. Section 291C-145, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§291C-145 Riding on roadways and bikeways.** (a) Every  
12 person operating a bicycle upon a roadway at a speed less than  
13 the normal speed of traffic moving in the same direction at such  
14 time shall ride as near to the right-hand curb, on the edge of  
15 the roadway, or on the shoulder off of the roadway as  
16 practicable, exercising due care when passing a standing vehicle  
17 or one proceeding in the same direction; except under any of the  
18 following situations:

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



# H.B. NO. 486

1           (2) When reasonably necessary to avoid conditions  
2           (including but not limited to fixed or moving objects,  
3           vehicles, bicycles, pedestrians, animals, surface  
4           hazards, or substandard width lanes) that make it  
5           unsafe to continue along the right-hand curb, on the  
6           edge of the roadway, or on the shoulder off of the  
7           roadway. For purposes of this section, a "substandard  
8           width lane" is a lane that is too narrow for a bicycle  
9           and a vehicle to travel safely side-by-side within the  
10          lane; or

11          (3) When a roadway is designated and signposted to carry  
12          traffic in one direction only and has two or more  
13          marked traffic lanes, a person operating a bicycle may  
14          ride as near to the left-hand curb, on the edge of the  
15          roadway, or on the shoulder off of such roadway as  
16          practicable.

17          (b) Persons riding bicycles upon a roadway shall ride in  
18          single file; provided that where the flow of traffic is  
19          unimpeded, riding two abreast upon bicycle lanes and bicycle  
20          paths shall be permitted when such lane or path is of sufficient  
21          width to allow riding two abreast unless otherwise prohibited by



1 rule or ordinance adopted by the director of transportation or  
2 by the counties.

3 (c) Whenever a usable bicycle lane has been provided on a  
4 highway, any person operating a bicycle at a speed less than the  
5 normal speed of traffic moving in the same direction at such  
6 time shall ride within such bicycle lane, except that such  
7 person may move out of the lane under any of the following  
8 situations:

9 (1) When overtaking and passing another bicycle, vehicle,  
10 or pedestrian within the lane or about to enter the  
11 lane if such overtaking and passing cannot be done  
12 safely within the lane;

13 (2) When preparing for a left turn at an intersection or  
14 into a private road or driveway; or

15 (3) When reasonably necessary to leave the bicycle lane to  
16 avoid debris or other hazardous conditions.

17 (d) No person operating a bicycle shall leave a bicycle  
18 lane until the movement can be made with reasonable safety and  
19 then only after giving an appropriate signal in the event that  
20 any vehicle may be affected by the movement.



1 (e) No person shall operate or ride a bicycle within a  
2 bicycle lane in any direction except that permitted of vehicular  
3 traffic traveling on the same side of the highway. Upon all  
4 bicycle paths of sufficient width and providing for two-way  
5 movement of bicycle traffic, bicycles proceeding in opposite  
6 directions shall pass each other to the right.

7 (f) The director of transportation by rule and the  
8 counties by ordinance may with respect to bikeways under their  
9 respective jurisdictions restrict or prohibit the use of such  
10 bikeways by mopeds.

11 (g) No person shall ride a bicycle equipped with a motor  
12 on any sidewalk, highway, street, or roadway. The counties may,  
13 by ordinance, post bicycle lanes and bicycle paths to prevent  
14 persons riding a bicycle equipped with a motor from using them.

15 (h) Any person violating paragraph (g) shall be subject to  
16 the following penalties:

17 (1) A fine of not more than \$500 for a first violation;

18 (2) For a violation that occurs within one year of a prior  
19 violation, a fine of not more than \$1,000 and  
20 completion of a traffic safety education program; and



1        (3) For subsequent violations, a fine of not more than  
2                    \$2,000, suspension of privilege to operate an electric  
3                    bicycle in the State for a period of six months, and  
4                    completion of a traffic safety education program."

5            SECTION 3. Section 291C-143, Hawaii Revised Statutes, is  
6 amended to read as follows:

7            **"§291C-143 Riding on bicycles.** (a) A person propelling a  
8 bicycle shall not ride other than upon or astride a permanent  
9 and regular seat attached thereon.

10           (b) No bicycle shall be used to carry more persons at one  
11 time than the number for which it is designed and equipped.

12           (c) No person shall operate an electric bicycle in an  
13 unsafe manner, including but not limited to:

14           (1) Reckless or negligent operation that endangers the  
15           operator, pedestrians, or other road users;

16           (2) Operating at speeds exceeding the posted speed limit;  
17           and

18           (3) Failing to adhere to traffic signal, signage, or rules  
19           applicable to bicycles.

20           (d) Any person violating paragraph (c) shall be subject to  
21 the following penalties:



1        (1) A fine of not more than \$250 for a first violation;

2                and

3        (2) For a violation that occurs within three months of a  
4                prior violation, a fine of not more than \$500.

5        (e) For purposes of this section:

6        "Electric bicycle" means a two- or three-wheeled cycle with  
7        fully operable pedals and an electric motor of less than seven  
8        hundred fifty watts that provides propulsion assistance.

9        "Electric bicycle" includes a low-speed electric bicycle, as  
10        defined in title 15 United States Code section 2085."

11        SECTION 4. Chapter 286, Hawaii Revised Statutes, is  
12        amended by adding a new section to part IV to be appropriately  
13        designated and to read as follows:

14        "§286-    Speed limiting devices. (a) No person shall:

15        (1) Remove a manufacturer- or factory-installed speed  
16                limiting device from an electric bicycle; or

17        (2) Operate an electric bicycle, in which the  
18                manufacturer- or factory-installed speed limiting  
19                device was removed from the electric bicycle.

20        (b) For purposes of this section:



1       "Electric bicycle" means a two- or three-wheeled cycle with  
2 fully operable pedals and an electric motor of less than seven  
3 hundred fifty watts that provides propulsion assistance.

4 "Electric bicycle" includes a low-speed electric bicycle, as  
5 defined in title 15 United States Code section 2085.

6       "Speed limiting device" means a device or function in an  
7 electric bicycle capable of limiting the maximum motive power-  
8 controlled speed at which the electric bicycle may operate."

9       SECTION 5. The department of transportation shall develop  
10 a traffic safety education program and a public awareness  
11 campaign to educate the public about general electric bicycle  
12 riding safety, rules of the road, and laws pertaining to  
13 electric bicycles, no later than twenty days prior to the  
14 convening of the regular session of 2026. The department shall  
15 inform individuals of the applicable traffic code, safety  
16 information, and penalties for violations at the time of  
17 registering an electric bicycle.

18       SECTION 6. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$            or so much  
20 thereof as may be necessary for fiscal year 2025-2026 and the  
21 same sum or so much thereof as may be necessary for fiscal year



# H.B. NO. 486

1 2026-2027 for implementation and administration of a traffic  
2 safety education program and a public awareness campaign.

3 The sums appropriated shall be expended by the department  
4 of transportation for the purposes of this Act.

5 SECTION 7. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8 SECTION 8. New statutory material is underscored.

9 SECTION 9. This Act shall take effect on July 1, 2025.

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12

INTRODUCED BY:



JAN 17 2025



# H.B. NO. 486

**Report Title:**

Electric Bicycles; Roadways; Speed Limiting Devices; Penalties

**Description:**

Prohibits the operation of an electric bicycle on highway, street, roadway, or any other areas designated for motor vehicles. Prohibit unsafe operation of an electric bicycle. Prohibits the removal of a manufacturer- or factory-installed speed limiting device from an electric bicycle. Requires the department of transportation to develop a traffic safety education program and a public awareness campaign. Appropriate funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

