
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding two new sections to part XII to be
3 appropriately designated and to read as follows:

4 "§291C- Safe riding behavior; electric bicycles. (a)
5 All electric bicycles shall be operated only with all wheels on
6 the ground at all times, facing forward, and with the operator
7 seated with one leg on each side of the seat; provided that it
8 shall not be a violation of this subsection if the wheels lose
9 contact with the ground briefly due to the conditions of the
10 road surface or other circumstances beyond the control of the
11 operator.

12 (b) The following shall be prohibited while operating an
13 electric bicycle:

14 (1) Operating an electric bicycle in an unsafe manner or
15 engaging in exhibition driving on any public street,
16 alley, or other public right of way; provided that
17 this paragraph shall not apply to a person engaging in



- 1 exhibition riding as part of a parade, tournament, or
- 2 other activity permitted by a state or county
- 3 government agency;
- 4 (2) Standing or kneeling on any seat, riding on the
- 5 handlebars, or engaging in any other non-standing or
- 6 non-standard riding position; and
- 7 (3) Engaging in any other maneuver that endangers the
- 8 operator or any person.

9 **§291C- Operating a high-speed electric device.** No

10 person shall operate a high-speed electric device on a public

11 roadway, a bicycle lane, travel paths, and other designated

12 areas, such as streets, highways, and sidewalks."

13 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is

14 amended by adding two new sections to part XIII to be

15 appropriately designated and to read as follows:

16 **"§291C- Electric bicycles; labeling.** Manufacturers and

17 distributors of electric bicycles shall apply a label that is

18 permanently affixed, in a prominent location, to each electric

19 bicycle. The label shall contain the classification number, top

20 assisted speed, and motor wattage of the electric bicycle.



1 §291C- Electric bicycle regulations; signage; public
2 information. (a) Distributors of electronic bicycles shall
3 place a sign at or near the point of sale with wording
4 substantially similar to the following in all capital letters
5 and printed in no less than fourteen-point font:

6 "THE SALE AND OPERATION OF ELECTRIC BICYCLES ARE SUBJECT TO
7 CHAPTER 291C, HAWAII REVISED STATUTES, INCLUDING SECTION
8 291C-143.5, HAWAII REVISED STATUTES, WHICH PROHIBITS THE
9 OPERATION OF A CLASS 3 ELECTRIC BICYCLE BY A PERSON UNDER
10 THE AGE OF SIXTEEN."

11 (b) Distributors of electronic bicycles shall provide to
12 the purchaser of an electronic bicycle a booklet or pamphlet
13 detailing the associated state laws regulating the use of
14 electric bicycles in this part."

15 SECTION 3. Section 249-1, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By adding a four definitions to be appropriately
18 inserted and to read:

19 "Class 1 electric bicycle" has the same meaning as in
20 section 291C-1.



1 "Class 2 electric bicycle" has the same meaning as in
2 section 291C-1.

3 "Class 3 electric bicycle" has the same meaning as in
4 section 291C-1.

5 "Electric bicycle" means a bicycle equipped with fully
6 operable pedals and an electric motor of no more than seven
7 hundred fifty watts."

8 2. By amending the definition of "bicycle" to read:

9 ""Bicycle" means:

10 (1) A device propelled solely by human power upon which
11 any person may ride, having two tandem wheels sixteen
12 inches in diameter or greater, and including any
13 device generally recognized as a bicycle though
14 equipped with two front or two rear wheels; or

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

17 SECTION 4. Section 249-14, Hawaii Revised Statutes, is
18 amended by amending subsection (b) to read as follows:

19 "(b) [~~A low-speed~~] An electric bicycle[~~, as defined under~~
20 ~~title 15 United States Code section 2085~~,] shall be required to
21 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 5. Section 291C-1, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By adding six new definitions to be appropriately
6 inserted and to read:

7 "Class 1 electric bicycle" means an electric bicycle
8 equipped with a motor that provides assistance only when the
9 rider is pedaling, and that ceases to provide assistance when
10 the bicycle reaches the speed of twenty miles per hour.

11 "Class 2 electric bicycle" means an electric bicycle
12 equipped with a motor that may be used exclusively to propel the
13 bicycle and that is not capable of providing assistance when the
14 bicycle reaches the speed of twenty miles per hour.

15 "Class 3 electric bicycle" means an electric bicycle
16 equipped with a motor that provides assistance only when the
17 rider is pedaling and that ceases to provide assistance when the
18 bicycle reaches the speed of twenty-eight miles per hour and
19 equipped with a speedometer.

20 "Electric bicycle" means a bicycle equipped with fully
21 operable pedals and an electric motor of no more than seven



1 hundred fifty watts. "Electric bicycle" does not include a
2 high-speed electric device.

3 "Electric micro mobility device" means a device weighing no
4 more than seventy-five pounds that is fully or partially
5 motorized and used for personal transportation, such as one-
6 wheels and electric skateboards. "Electric micro mobility
7 device" does not include electric bicycles or electric foot
8 scooters.

9 "High-speed electric device" means a two-wheeled electric
10 device with a motor exceeding seven hundred fifty watts and
11 capable of speeds over twenty-eight miles per hour. "High-speed
12 electric device" does not include a moped or motorcycle that can
13 legally be operated on a road or street."

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

15 ""Bicycle" means:

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



1 (6) [~~It is necessary~~] Necessary to yield to an authorized
2 emergency vehicle pursuant to section 291C-65; or

3 (7) [~~It is otherwise~~] Otherwise provided by law."

4 SECTION 7. Section 291C-139, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "~~[+]§291C-139[+]~~ **Electric foot scooters~~[-]~~; electric micro**
7 **mobility devices.** (a) This section shall apply whenever an
8 electric foot scooter or electric micro mobility device is
9 operated upon any highway, street, roadway, or other designated
10 public area set aside for the use of electric foot scooters~~[-]~~
11 or electric micro mobility device.

12 (b) Every person operating an electric foot scooter or
13 electric micro mobility devices upon a roadway shall be granted
14 all of the rights and shall be subject to all of the duties
15 applicable to a driver of a vehicle under this chapter, except
16 as to provisions of this:

17 (1) Section to the contrary; and

18 (2) Chapter that, by their nature, can have no
19 application.



1 (c) The counties by ordinance shall regulate operations of
2 electric foot scooters and electric micro mobility devices with
3 regard to, but not limited to, the following:

- 4 (1) Operations in or upon roadways, bikeways, bicycle
5 paths, and sidewalks;
- 6 (2) Storage and docking locations;
- 7 (3) Restrictions on maximum speed;
- 8 (4) Safety considerations; and
- 9 (5) Insurance requirements;

10 provided that no authority adopted in accordance with this
11 subsection shall be less restrictive than the requirements set
12 forth in this section.

13 (d) No person under fifteen years of age shall operate an
14 electric foot scooter or electric micro mobility device on a
15 highway, street, roadway, or any other public property in the
16 State. No person under [~~sixteen~~] eighteen years of age shall
17 operate an electric foot scooter or electric micro mobility
18 device unless the person wears a safety helmet securely fastened
19 with a chin strap. The safety helmet shall meet the
20 specifications of and requirements for a bicycle helmet as set
21 out in section 291C-150.



1 (e) No person shall operate an electric foot scooter or
2 electric micro mobility device that is carrying any other
3 person, nor shall any person other than the operator ride upon
4 an electric foot scooter[-] or electric micro mobility device.

5 (f) No person operating an electric foot scooter or
6 electric micro mobility device shall carry any package, bundle,
7 or article that prevents the use of both hands in the control
8 and operation of the electric foot scooter[-] or electric micro
9 mobility device.

10 (g) Any electric foot scooter or electric micro mobility
11 device used from thirty minutes after sunset until thirty
12 minutes before sunrise shall meet the specifications of and
13 requirements for lamps and other equipment on bicycles as set
14 out in section 291C-147; provided that in lieu of the
15 requirement of section 291C-147(b), every electric foot scooter
16 or electric micro mobility device shall be equipped with a
17 lighted lamp that is visible from the rear.

18 (h) No person shall operate an electric foot scooter or
19 electric micro mobility device at a speed other than is
20 reasonable and prudent and having regard to the actual and
21 potential hazards and conditions then existing; provided that no



1 person shall operate an electric foot scooter or electric micro
2 mobility device at a speed greater than fifteen miles per hour.

3 (i) Any person who operates an electric foot scooter or
4 electric micro mobility device recklessly in disregard of the
5 safety of persons or property shall be assessed penalties as set
6 forth in section 291C-161(b).

7 (j) A person or entity that provides electric foot
8 scooters or electric micro mobility devices for hire shall not
9 rent or lease an electric foot scooter or electric micro
10 mobility device to any person unless:

11 (1) Each renter or lessee that is under the age of
12 [~~sixteen~~] eighteen wears a safety helmet, as required
13 by subsection (d), while operating the electric foot
14 scooter[+] or electric micro mobility device; and

15 (2) Each renter or lessee is provided with a copy of the
16 electric foot scooter and electric micro mobility
17 device ordinances or rules that have been adopted by
18 the applicable county.

19 (k) Electric foot scooters and electric micro mobility
20 device shall only be stored or docked at specific locations that
21 shall be authorized by the counties."



1 SECTION 8. Section 291C-143.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~f~~]~~\$291C-143.5~~~~]~~~~—Low-speed electric bicyeles;~~ **Electric**
4 **bicycle; operator age.** No person under the age of [~~fifteen~~]
5 sixteen shall operate [~~a low-speed~~] a class 3 electric bicycle
6 [~~as defined under title 15 United States Code section 2085~~].
7 Class 1 electric bicycles and class 2 electric bicycles may be
8 operated by any individual, regardless of age."

9 SECTION 9. Section 291C-145, Hawaii Revised Statutes, is
10 amended by amending subsection (g) to read as follows:

11 "(g) No person shall ride a bicycle equipped with a motor
12 or class 3 electric bicycle on any sidewalk[-]; provided that a
13 person may ride a class 1 electric bicycle or class 2 electric
14 bicycle on a sidewalk at a speed not exceeding ten miles per
15 hour. The counties may, by ordinance, post bicycle lanes and
16 bicycle paths to prevent persons riding a bicycle equipped with
17 a motor from using them."

18 SECTION 10. Section 291C-150, Hawaii Revised Statutes, is
19 amended by amending subsections (a) and (b) to read as follows:

20 "(a) No person under [~~sixteen~~] eighteen years of age shall
21 operate a bicycle upon a street, a bikeway, or any other public



1 property unless that person is wearing a properly fitted and
2 fastened bicycle helmet that has been tested by a nationally
3 recognized agency such as the National Highway Traffic Safety
4 Administration, the National Safety Council, or the Children's
5 Safety Network, and is designed to fit the user and protect
6 against head trauma. This requirement also applies to a person
7 who rides upon a bicycle while in a restraining seat that is
8 attached to the bicycle or who rides in a trailer towed by the
9 bicycle.

10 (b) A person who provides bicycles for hire shall not rent
11 a bicycle to any person unless every person who is under age
12 ~~[sixteen]~~ eighteen is wearing a bicycle helmet, as required in
13 subsection (a), while operating the rented bicycle, occupying a
14 restraining seat that is attached to the rented bicycle, or
15 riding in a trailer towed by the rented bicycle."

16 SECTION 11. Section 291C-197, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "~~§291C-197 [Driving mopeds on bicycle lanes]~~ Restrictions
19 for bicycle and paths. [~~(a) Wherever bicycle lanes are~~
20 ~~provided on the roadway, moped drivers shall use such bicycle~~
21 ~~lanes.~~



1 ~~(b)~~ (a) The director of transportation by rule and ~~the~~
2 counties by ordinance may, with respect to bicycle paths under
3 their respective jurisdictions, restrict or prohibit the use of
4 ~~such~~ bicycle paths by mopeds. Signs clearly visible to an
5 ordinarily observant person indicating the restriction or
6 prohibition shall be placed along bicycle paths so designated
7 and every moped driver shall obey the directions thereof.

8 ~~(e)~~ (b) This section shall not apply to a three-wheeled
9 moped."

10 SECTION 12. Section 286-2, Hawaii Revised Statutes, is
11 amended by deleting the definition of "bicycle".

12 ~~[""Bicycle" means:~~

- 13 ~~(1) A device propelled solely by human power upon which~~
14 ~~any person may ride, having two tandem wheels sixteen~~
15 ~~inches in diameter or greater, and including any~~
16 ~~device generally recognized as a bicycle though~~
17 ~~equipped with two front or two rear wheels; or~~
18 ~~(2) A low-speed electric bicycle, as defined under title~~
19 ~~15 United States Code section 2085."]~~

20 SECTION 13. Sections 249-1, 249-9.2, 286-2, 286-81, 286-
21 81.5, 286-102, 286-102.6, 286-108, 286-109, 286-110, 291-11,



1 291-22, 291-25, 291-31, 291-31.5, 291C-1, 291C-206, 431:10C-103,
2 431:10C-304, 431:10C-305, 431:10C-408, 431:10G-101, 431:10G-102,
3 431:10G-103, 431:10G-104, 431:10G-105, 431:10G-106, 431:10G-107,
4 431:10G-108, 431:10G-201, 431:10G-202, 431:10G-206, 431:10G-301,
5 437-7, 437B-1, 481I-2, and 604A-2, Hawaii Revised Statutes, are
6 amended by substituting the word "motor driven cycle", or
7 similar term, wherever the word "motor scooter", or similar
8 term, appears, as the context requires.

9 SECTION 14. 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 15. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 16. This Act shall take effect on July 1, 3000.



Report Title:

Electric Bicycles; Electric Micro Mobility Devices; Regulation;
Electric Mobility Devices; High-Speed Electric Device

Description:

Requires all bicycles equipped with motors to be operated only with all wheels on the ground at all times, with certain exceptions. Prohibits certain actions while operating a bicycle equipped with a motor. Prohibits the operation of high-speed electric devices in certain locations. Requires manufacturers and distributors to apply a label to electric bicycles. Requires distributors to place a sign at or near the point of sale regarding electric bicycles. Defines "electric bicycle" in place of "low-speed electric bicycle". Defines "electric micro mobility device" and requires the same regulations as electric foot scooters to apply to electric micro mobility devices. Prohibits a person under the age of sixteen from operating a class 3 electric bicycle. Prohibits a person from riding a class 3 electric bicycle on a sidewalk. Authorizes a person to ride a class 1 or class 2 electric bicycle on a sidewalk at a speed not exceeding ten miles per hour. Prohibits a person from operating a bicycle or electric foot scooter under the age of eighteen without a helmet. Repeals the requirement that moped drivers use bicycle lanes. Substitutes the word "motor drive cycle" with the word "motor scooter". Effective 7/1/3000.
(HD2)

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