

---

# A BILL FOR AN ACT

RELATING TO ELECTRIC BICYCLES.

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

1       SECTION 1. The legislature finds electric bicycles are  
2 widely available and becoming a more prevalent means of personal  
3 transportation. However, the growing adoption of electric  
4 bicycles on public roads, bike paths, and urban environments has  
5 introduced new safety concerns, including risks to riders,  
6 pedestrians, and other road users, which necessitate clear and  
7 comprehensive safety regulations. Existing traffic and bicycle  
8 laws do not adequately address the unique characteristics and  
9 risks associated with electric bicycles. The legislature  
10 further finds that electric micro mobility devices are also  
11 growing in popularity. Despite this, existing law is silent as  
12 to the regulations of these mobility devices.

13       The legislature believes that ensuring the safety of  
14 electric bicycle riders and electric micro mobility devices and  
15 the public requires the implementation of updated regulations  
16 governing electric bicycles. Additionally, public awareness of



1 any new regulations for electric bicycles is necessary for  
2 compliance with the regulations.

3 Accordingly, the purpose of this Act is to:

- 4 (1) Update and enhance the State's laws relating to  
5 electric bicycles; and  
6 (2) Define and regulate electric micro mobility devices.

7 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is  
8 amended by adding seven new sections to part XIII to be  
9 appropriately designated and to read as follows:

10 **"§291C-A Electric bicycles; labeling. 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.**

15 **§291C-B Electric bicycle regulations; signage; public**  
16 **information.** (a) **Distributors of electric bicycles shall place**  
17 **a sign at or near the point of sale with wording substantially**  
18 **similar to the following in all capital letters and printed in**  
19 **not less than fourteen-point font:**

20 **"THE SALE AND OPERATION OF ELECTRIC BICYCLES ARE SUBJECT TO**  
21 **CHAPTER 291C, HAWAII REVISED STATUTES, INCLUDING SECTION**



1 291C-143.5, HAWAII REVISED STATUTES, WHICH PROHIBITS THE  
2 OPERATION OF AN ELECTRIC BICYCLE BY A PERSON UNDER THE AGE  
3 OF SIXTEEN."

4 (b) Distributors of electric bicycles shall provide to the  
5 purchaser of an electric bicycle a booklet or pamphlet detailing  
6 the associated state laws regulating the use of electric  
7 bicycles in this part.

8 **§291C-C Electric bicycles; tampering restriction.** No  
9 person shall tamper with or modify an electric bicycle so as to  
10 change the motor-powered speed capability or engagement of an  
11 electric bicycle or the label indicating the classification  
12 number required by section 291C-A.

13 **§291C-D Electric bicycles; Consumer Product Safety**  
14 **Commission compliance.** Electric bicycles shall comply with the  
15 equipment and manufacturing requirements for bicycles adopted by  
16 the United States Consumer Product Safety Commission pursuant to  
17 title 16 Code of Federal Regulations part 1512.

18 **§291C-E Electric bicycles; motor disengagement.** An  
19 electric bicycle shall operate in a manner so that the electric  
20 motor is disengaged or ceases to function when the rider stops  
21 pedaling or when the brakes are applied.



1        **§291C-F    Infrastructure use by electric bicycles.**    (a)    An  
2    electric bicycle may be ridden in places where bicycles are  
3    allowed, including but not limited to streets, highways, alleys,  
4    roadways, sidewalks, or public paths set aside for the exclusive  
5    use of bicycles.

6        (b)    Following notice and a public hearing, a county may  
7    prohibit the operation of a class 1 electric bicycle, class 2  
8    electric bicycle, or class 3 electric bicycle on places  
9    described in subsection (a) if the county finds that a  
10   restriction is needed for safety reasons or compliance with  
11   other laws or legal obligations.

12        **§291C-G    Class 3 electric bicycles; additional regulations.**

13    (a)    A person under fifteen years of age may ride as a passenger  
14    on a class 3 electric bicycle that is designed to accommodate  
15    passengers.

16        (b)    All operators and passengers of class 3 electric  
17    bicycles shall wear a properly fitted and fastened bicycle  
18    helmet that meets the standards provided by either the United  
19    States Consumer Product Safety Commission or the American  
20    Society for Testing and Materials, or standards subsequently  
21    established by those entities.



1        (c) All class 3 electric bicycles shall be equipped with a  
2        speedometer that displays the speed the bicycle is traveling in  
3        miles per hour."

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

6        1. By adding four new definitions to be appropriately  
7        inserted and to read:

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

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

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

14       "Electric bicycle" has the same meaning as in section  
15       291C-1."

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

17       "Bicycle" means:

18       (1) A device propelled solely by human power upon which  
19       any person may ride, having two tandem wheels sixteen  
20       inches in diameter or greater, and including any



1 device generally recognized as a bicycle though  
2 equipped with two front or two rear wheels; or  
3 (2) ~~[A low-speed]~~ An electric bicycle~~[, as defined under~~  
4 ~~title 15 United States Code section 2085]."~~

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

7 "(b) ~~[A low-speed electric bicycle, as defined under title~~  
8 ~~15 United States Code section 2085,]~~ An electric bicycle shall  
9 be ~~[required to be]~~ registered~~[,]~~ and shall be subject to a  
10 permanent registration fee of \$30, to be paid by the owners  
11 thereof to the director of finance~~[,]~~, except that a class 3  
12 electric bicycle shall be subject to a permanent registration  
13 fee of \$ , to be paid by the owners thereof to the  
14 director of finance."

15 SECTION 5. Section 286-2, Hawaii Revised Statutes, is  
16 amended as follows:

17 1. By adding four new 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" has the same meaning as in section 291C-  
6        1."

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

8        "'Bicycle" means:

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

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

16       SECTION 6. Section 291C-1, Hawaii Revised Statutes, is  
17       amended as follows:

18       1. By adding five new definitions to be appropriately  
19       inserted and to read:



1 "Class 1 electric bicycle" means an electric bicycle  
2 equipped with a motor that provides assistance when the bicycle  
3 reaches the speed of twenty miles per hour.

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

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

12 "Electric bicycle" means a bicycle equipped with fully  
13 operable pedals, a saddle or seat for the rider, and an electric  
14 motor of less than seven hundred fifty watts that meets the  
15 requirements of a class 1 electric bicycle, class 2 electric  
16 bicycle, or class 3 electric bicycle.

17 "Electric micro mobility device" means a device weighing no  
18 more than seventy-five pounds that is fully or partially  
19 motorized and used for personal transportation, such as one-  
20 wheels and electric skateboards. "Electric micro mobility





1 device" does not include electric bicycles or electric foot  
2 scooters."

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

4 ""Bicycle" means:

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

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

12 SECTION 7. Section 291C-123, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14 "(a) No person shall drive any vehicle other than a  
15 bicycle, electric foot scooter, electric micro mobility device,  
16 or moped upon a bicycle lane or bicycle path, except upon a  
17 permanent or authorized temporary driveway, or park any vehicle  
18 upon a bicycle lane or bicycle path; provided that any vehicle  
19 may be driven or parked in a bicycle lane or bicycle path as  
20 applicable if~~[÷]~~ it is:



1       (1) ~~[It is in]~~ In the process of executing a legal turn,  
2           lane change, or parking maneuver;

3       (2) ~~[It is an]~~ An authorized emergency vehicle performing  
4           the functions under section 291C-26;

5       (3) ~~[It is an]~~ An official federal, state, or county  
6           vehicle in the performance of its actual duty;

7       (4) ~~[It is a]~~ A stalled or broken vehicle;

8       (5) ~~[It is necessary]~~ Necessary to assist a stalled or  
9           broken vehicle;

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

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

13      SECTION 8. Section 291C-141, Hawaii Revised Statutes, is  
14      amended by amending subsection (a) to read as follows:

15      "(a) It is a traffic infraction for any person to do any  
16      act forbidden or fail to perform any act required in this  
17      part~~[-]~~; provided that if a person does any act forbidden or  
18      fails to perform any act required in this part as an operator of  
19      an electric bicycle and is not the registered owner of the  
20      electric bicycle, the traffic infraction shall be imposed on the  
21      registered owner of the electric bicycle."



SECTION 9. Section 291C-139, Hawaii Revised Statutes, is amended to read as follows:

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

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

(1) Section to the contrary; and

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

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

(1) Operations in or upon roadways, bikeways, bicycle paths, and sidewalks;

(2) Storage and docking locations;



1 (3) Restrictions on maximum speed;

2 (4) Safety considerations; and

3 (5) Insurance requirements;

4 provided that no authority adopted in accordance with this  
5 subsection shall be less restrictive than the requirements set  
6 forth in this section.

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

16 (e) No person shall operate an electric foot scooter or  
17 electric micro mobility device that is carrying any other  
18 person, nor shall any person other than the operator ride upon  
19 an electric foot scooter.

20 (f) No person operating an electric foot scooter or  
21 electric micro mobility device shall carry any package, bundle,



1 or article that prevents the use of both hands in the control  
2 and operation of the electric foot scooter.

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

11 (h) No person shall operate an electric foot scooter or  
12 electric micro mobility device at a speed other than is  
13 reasonable and prudent and having regard to the actual and  
14 potential hazards and conditions then existing; provided that no  
15 person shall operate an electric foot scooter or electric micro  
16 mobility device at a speed greater than fifteen miles per hour.

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



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

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

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

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

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

"~~[+]~~~~\$291C-143.5~~~~[+]~~ ~~[Low-speed electric]~~ Electric bicycles; **operator age.** No person under the age of fifteen shall operate ~~[a low-speed]~~ a class 3 electric bicycle ~~[as defined under title 15 United States Code section 2085]~~. Class 1 electric bicycles



1 and class 2 electric bicycles may be operated by any individual,  
2 regardless of age."

3 SECTION 11. Section 291C-150, Hawaii Revised Statutes, is  
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) [~~No~~] Except as required in section 291C-G, no person  
6 under [~~sixteen~~] eighteen years of age shall operate a bicycle  
7 upon a street, bikeway, or any other public property unless that  
8 person is wearing a properly fitted and fastened bicycle helmet  
9 that has been tested by a nationally recognized agency such as  
10 the National Highway Traffic Safety Administration, the National  
11 Safety Council, or the Children's Safety Network, and is  
12 designed to fit the user and protect against head trauma. This  
13 requirement also applies to a person who rides upon a bicycle  
14 while in a restraining seat that is attached to the bicycle or  
15 who rides in a trailer towed by the bicycle.

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



1       SECTION 12. In codifying the new sections added by section  
2 2 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

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

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





**Report Title:**

Electric Bicycles; Regulations; Registration; Electric Micro  
Mobility Devices; Minimum Age to Operate

**Description:**

Establishes additional regulations for the registration and use of electric bicycles. Amends the definition of electric bicycles subject to various state laws and classifies electric bicycles by top assisted speed. Defines "electric micro mobility device" and requires the same regulations as electric foot scooters to apply to electric micro mobility devices. Prohibits anyone under fifteen from operating a class 3 electric bicycle. Increasing the age for those required to wear a helmet when operating a bicycle. Effective 7/1/3000. (HD1)

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

