

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 PART I

2 SECTION 1. The legislature finds that due to increasingly
3 expensive fossil fuels and a lack of cheaper transit options,
4 Hawaii residents already pay among the highest costs to commute
5 in the country. A 2020 analysis studied all of the direct and
6 indirect costs of car ownership and use in Hawaii and found that
7 local taxpaying families pay about \$24,400 per year, but could
8 reduce that cost significantly by switching from three cars per
9 family to two, or two cars to one, and replacing short trips for
10 those family members who are able with electric bicycles or
11 similar mobility devices.

12 The legislature also finds that the current electric
13 bicycle and moped rebate program, even with minimal promotion
14 and low subsidy, has helped almost three hundred Hawaii families
15 access electric bikes since its inception. However, its reach
16 and effectiveness has been limited by complicated restrictions
17 and a lower rebate than other successful programs.



1 In 2022, Denver's electric bike rebate program, which
2 provided families with up to a \$1,200 rebate, led to
3 considerable cost savings for Denver families, and replaced many
4 trips by car with trips by electric bicycle which helped reduce
5 vehicular traffic on crowded roads by over one hundred thousand
6 vehicular miles weekly. Ninety-six per cent of respondents said
7 the availability of the rebate made the difference when deciding
8 to buy an electric bike.

9 Accordingly, the purpose of this part is to:

- 10 (1) Help reduce the cost of transportation and the traffic
11 on Hawaii's roads by improving the existing electric
12 bicycle and moped rebate program, facilitating the
13 purchase and use of adaptive electric bicycles for
14 persons with disabilities, and expanding eligibility
15 and rebates for electric bicycles to more closely
16 mirror similar successful programs;
- 17 (2) Rename and clarify the source of funding for the
18 electric bicycle and moped rebate program; and
- 19 (3) Allow for the registration of class 3 electric
20 bicycles that have wheels smaller than twenty inches
21 and that are intended for adult use.



1 SECTION 2. Section 196-2, Hawaii Revised Statutes, is
2 amended by adding three new definitions to be appropriately
3 inserted and to read as follows:

4 ~~""Adaptive electric bicycle" means any bicycle that is~~
5 ~~modified to fit the needs of an individual rider who is unable~~
6 ~~to use a standard electric bicycle.~~

7 ~~"Electric bicycle" means a bicycle equipped with fully~~
8 ~~operable pedals, a saddle or seat for the rider, an electric~~
9 ~~motor not to exceed seven hundred and fifty watts, and that~~
10 ~~meets the requirements of one of the following three classes:~~

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

16 (2) ~~Class 2 electric bicycle, which is an electric bicycle~~
17 ~~equipped with a motor that may be used exclusively to~~
18 ~~propel the bicycle, and that is not capable of~~
19 ~~providing assistance when the bicycle reaches the~~
20 ~~speed of twenty miles per hour; or~~



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

6 "Electric micro-mobility device" means any ground
7 transportation device, such as a standing scooter or similar
8 device, that is powered either exclusively by electricity from a
9 battery charged from an external source, or by electricity from
10 a battery charged from an external source in addition to human
11 power, which is designed to transport a single person, with a
12 range not less than fifteen miles and maximum speed of
13 twenty-eight miles per hour, on which a person may reasonably
14 commute to and from regular destinations."

15 SECTION 3. Section 196-7.8, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~196-7.8~~ **Electric [bicycle and electric moped]**
18 **mobility rebate program; third-party administrator; special**
19 **fund.** (a) The department of transportation shall administer a
20 rebate program that incentivizes the purchase of new electric
21 **[bicycles and new electric mopeds]** mobility devices and may



1 contract with a third-party administrator pursuant to subsection
2 [+] (j) to operate and manage the rebate program.

3 (b) Each eligible purchase of a new electric bicycle [~~or~~
4 new], electric moped, adaptive electric bicycle, or electric
5 micro-mobility device shall receive a rebate of either [~~twenty~~
6 ~~per cent of the retail cost or \$500,~~] fifty per cent of the
7 retail cost or \$750, whichever [~~amount~~] is lower; provided that
8 no individual shall receive more than [~~\$500~~] \$750 in total
9 rebates each fiscal year[.] unless the individual also qualifies
10 for the additional assistance rebate pursuant to subsection (i),
11 in which case the individual shall not receive more than \$1,500
12 in total rebates each fiscal year.

13 (c) The department of transportation shall not issue more
14 than [~~\$700,000~~] \$2,000,000 in total rebates under this section
15 each fiscal year; provided that the electric [~~bicycle and~~
16 ~~electric moped~~] mobility subaccount within the highway
17 development special fund pursuant to section 264-122(d) contains
18 sufficient funds to pay the rebates. The department of
19 transportation shall not be liable to pay any refund if
20 sufficient funds are unavailable. The department of
21 transportation shall allow valid claims filed by eligible



1 applicants for whom sufficient funds may not be immediately
2 available to receive a rebate as funds may be available in a
3 subsequent year.

4 (d) The department of transportation shall:

5 (1) Prepare any forms that may be necessary for an
6 applicant to claim a rebate pursuant to this section;
7 and

8 (2) Require each applicant to furnish reasonable
9 information to ascertain the validity of the claim,
10 including but not limited to ~~the signature of the~~
11 ~~buyer and individual responsible for the sale on~~
12 ~~behalf of a retail store at the time of sale,~~] a copy
13 of valid government issued photo identification of the
14 buyer at the time of the sale, receipt of purchase,
15 name and address of the retail store, verification of
16 eligibility, and any other documentation necessary to
17 demonstrate the legitimate purchase of a new electric
18 bicycle ~~or new~~, electric moped~~[-]~~, adaptive electric
19 bicycle, or electric micro-mobility device.

20 (e) This section shall apply to new:



1 (1) Electric bicycles ~~[e]capable of speeds of no more than~~
2 ~~twenty-eight miles per hour; and]~~;
3 (2) Electric mopeds~~[7]~~;
4 (3) Adaptive electric bicycles; and
5 (4) Electric micro-mobility devices,
6 purchased at a retail store after July 1, 2022.

7 (f) Applicants shall submit an application to the
8 department of transportation within twelve months of the date of
9 purchase to claim a rebate from the electric ~~[b]icycle and~~
10 ~~electric moped]~~ mobility rebate program. Failure to apply
11 within twelve months of the date of purchase shall constitute a
12 waiver of the right to claim the rebate.

13 (g) Nothing in this section shall alter taxes due on the
14 original purchase. Any rebate received pursuant to this section
15 shall not be considered income for the purposes of state or
16 county taxes.

17 (h) To be eligible to claim a rebate from the electric
18 mobility rebate program, the applicant shall be:
19 (1) A resident of the State; and
20 (2) Fifteen years of age or older.



1 [~~th~~] (i) In administering the electric ~~bicycle and~~
2 ~~electric moped~~] mobility rebate program, the department of
3 transportation shall provide [~~rebates~~] an assistance rebate in
4 addition to the rebate in subsection (b). The additional
5 assistance rebate shall be \$750 or the full retail amount of the
6 purchase, whichever is lower, to persons [eighteen] fifteen
7 years or older who:

8 (1) Are eligible for:

9 (A) The Supplemental Nutrition Assistance Program;

10 (B) The free and reduced price lunch program;

11 (C) Section 8 of the United States Housing Act of
12 1937, as amended; or

13 (D) Similar low-income assistance programs identified
14 by the department of transportation;

15 (2) Do not own a registered motor vehicle with four or
16 more wheels, as demonstrated by an affidavit signed by
17 the applicant at the time of sale of the new electric
18 bicycle [~~or~~], electric moped, adaptive electric
19 bicycle, or electric micro-mobility device which may
20 be audited by the department of transportation; or





1 (k) The department of transportation shall provide an
2 annual report to the legislature no later than twenty days prior
3 to the convening of each regular session that shall detail the
4 rebates provided, disaggregated by zip code, amount paid, and
5 type of rebate."

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

8 "(c) An owner of a bicycle [~~having~~] or a class 3 electric
9 bicycle, as defined in section 196-2, that is intended for adult
10 use, and that has two tandem wheels that are less than twenty
11 inches in diameter is not required to register that bicycle, but
12 may do so to facilitate the return of recovered stolen bicycles
13 by payment of the registration fee. The fee collected shall not
14 be refunded or prorated. Upon receipt of the fee, the director
15 of finance shall number and register each bicycle for which the
16 fee is paid, in the owner's name, and furnish the owner with a
17 metallic tag or decal for each bicycle, which shall be attached
18 to the bicycle. The decal shall be affixed to a bicycle on the
19 upright post attached to the sprocket facing in the forward
20 direction. Upon initial registration by an owner or transferee,
21 the director of finance shall require proof of ownership and



1 require the owner to furnish verification of the serial number
2 and description contained in the proof of ownership and
3 application for registration. The metallic tags or decals shall
4 be in a form as the director of finance shall from time to time
5 prescribe. It shall be the duty of the director of finance of
6 each county to purchase a sufficient number of these tags or
7 decals."

8 SECTION 5. Section 264-122, Hawaii Revised Statutes, is
9 amended by amending subsection (d) to read as follows:

10 "(d) There is established within the highway development
11 special fund an electric ~~bicycle and electric moped~~ mobility
12 subaccount. The department shall expend moneys in the
13 subaccount for the purposes of funding the electric ~~bicycle and~~
14 ~~electric moped~~ mobility rebate program established pursuant to
15 section 196-7.8."

16 PART II

17 SECTION 6. The purpose of this part is to:

18 (1) Establish safe riding behaviors for electric bicycles;
19 (2) Prohibit the operation of high-speed electric devices
20 in certain locations;



- 1 (3) Establish labeling and signage requirements for
- 2 electric bicycles;
- 3 (4) Prohibit the operation of an electric moped or
- 4 electric motorcycle in bicycles lanes and paths;
- 5 (5) Amend the definition of "bicycle" for purposes of
- 6 county vehicular taxes;
- 7 (6) Define "electric micro-mobility device" and requires
- 8 the same regulations as electric foot scooters to
- 9 apply to electric micro-mobility devices;
- 10 (7) Prohibit a person under the age of sixteen from
- 11 operating a class 3 electric bicycle;
- 12 (8) Authorized a person under the age of fourteen to
- 13 operate a class 2 electric bicycle under supervision;
- 14 (9) Prohibit a person from operating a class 3 electric
- 15 bicycle on a sidewalk;
- 16 (10) Authorize a person to operate a class 1 or class 2
- 17 electric bicycle on a sidewalk under certain
- 18 circumstances;
- 19 (11) Prohibit a person from operating an electric bicycle
- 20 or electric foot scooter under the age of eighteen
- 21 without a helmet;



5 SECTION 7. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding two new sections to part XII to be
7 appropriately designated and to read as follows:

§291C- Safe riding behavior; electric bicycles. (a)

9 All electric bicycles shall be operated with all wheels on the
10 ground at all times with the operator facing forward and seated
11 normally; provided that it shall not be a violation of this
12 subsection if the wheels lose contact with the ground briefly
13 due to the conditions of the road surface or other circumstances
14 beyond the control of the operator.

15 (b) The following shall be prohibited while operating an
16 electric bicycle:

17 (1) Operating an electric bicycle in an unsafe manner or
18 engaging in exhibition riding, such as wheelies or
19 stunts, on any public street, alley, or other public
20 right of way; provided that this paragraph shall not
21 apply to a person engaging in exhibition riding as



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

10 (c) The department of transportation and each county may
11 adopt rules pursuant to chapter 91 to define additional unsafe
12 or reckless behaviors consistent with this section.

13 **§291C- Operating a high-speed electric device.** (a) No
14 person shall operate a high-speed electric device on a public
15 roadway, a bicycle lane, travel paths, bicycle facilities, and
16 other designated areas, such as streets, highways, and
17 sidewalks.

18 (b) Violation of this section shall constitute a civil
19 traffic infraction pursuant to chapter 291D. In the case of a
20 violator under the age of eighteen, enforcement may be applied



1 against the parent or legal guardian or addressed through non-
2 monetary corrective action."

3 SECTION 8. Chapter 291C, Hawaii Revised Statutes, is
4 amended by adding a new section to part XIII to be appropriately
5 designated and to read as follows:

6 **"§291C- Electric bicycle regulations; labels; signage;**
7 **public information.** (a) Manufacturers and distributors of
8 electric bicycles shall apply a label that is permanently
9 affixed, in a prominent location, to each electric bicycle. The
10 label shall contain the:

11 (1) Classification number (class 1, 2, or 3);
12 (2) Top assisted speed; and
13 (3) Motor wattage.

14 No person shall alter, deface, or remove a label required
15 pursuant to this subsection.

16 (b) Distributors of electric bicycles shall place a sign
17 at or near the point of sale with wording substantially similar
18 to the following in all capital letters and printed in no less
19 than fourteen-point font:



1 "THE SALE AND OPERATION OF ELECTRIC BICYCLES IS REGULATED
2 UNDER CHAPTER 291C, HAWAII REVISED STATUTES. CERTAIN USES
3 AND RIDERS MAY BE RESTRICTED BY LAW."

4 (c) 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 (d) Sellers and distributors, including online or
9 third-party platform sellers and distributors delivering or
10 offering for delivery to the State, of electric bicycles shall
11 verbally and in writing disclose whether the electric bicycle
12 being sold is legal for use on public roads, sidewalks, or bikes
13 lanes. Disclosures shall include registration, equipment,
14 helmet, and age requirements.

15 (e) The department of transportation, department of
16 commerce and consumer affairs, or a county may impose
17 administrative fines not to exceed \$500 per violation of
18 noncompliance with this section. The department of
19 transportation, department of commerce and consumer affairs, or
20 a county may inspect premises or investigate complaints to
21 ensure compliance with this section.



1 (f) The department of transportation, department of
2 commerce and consumer affairs, and each county shall adopt rules
3 pursuant to chapter 91 to carry out the purpose of this
4 section."

5 SECTION 9. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding a new section to part XVI to be appropriately
7 designated and to read as follows:

8 "**§291C- Driving mopeds and electric motorcycles on**
9 **bicycle lanes and paths; prohibited.** (a) No person shall
10 operate a moped or electric motorcycle on a bicycle path,
11 bicycle lane, or any other path or roadway designated for
12 bicycle use.

13 (b) For purposes of this section, "electric motorcycle"
14 means a two- or three-wheeled vehicle equipped with an electric
15 motor capable of exceeding a speed of twenty-eight miles per
16 hour on level ground, and that may be legally operated on public
17 roadways under the same licensing, registration, and insurance
18 requirements applicable to motorcycles under state law."

19 SECTION 10. Section 249-1, Hawaii Revised Statutes, is
20 amended as follows:



1 1. By adding a new definition to be appropriately inserted
2 and to read:

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

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

7 ~~""Bicycle" means:~~

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

15 SECTION 11. Section 249-14, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) ~~[A low speed] An electric bicycle[, as defined under~~
18 ~~title 15 United States Code section 2085,]~~ shall be required to
19 be registered, and shall be subject to a permanent registration
20 fee of \$30, to be paid by the owners thereof to the director of
21 finance. No person shall operate an electric bicycle on a



1 public roadway, sidewalk, or bicycle facility unless it has been
2 properly registered pursuant to this subsection. Failure to
3 register may result in citation or temporary impoundment by a
4 law enforcement officer or designated official.

5 The department of transportation may adopt rules pursuant
6 to chapter 91 to coordinate statewide implementation, provide
7 uniform forms and guidance, and support public education and
8 outreach on the registration requirement for electric bicycles
9 pursuant to this subsection."

10 SECTION 12. Section 286-2, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By amending the definition of "moped" to read:

13 " "Moped" means a device upon which a person may ride that
14 has:

15 (1) Two or three wheels in contact with the ground;
16 (2) A motor having a maximum power output capability
17 measured at the motor output shaft, in accordance with
18 SAE International standards, of two horsepower (one
19 thousand four hundred ninety-two watts) or less and,
20 if it is a combustion engine, a maximum piston or
21 rotor displacement of 3.05 cubic inches (fifty cubic



1 centimeters) and that will propel the moped,
2 unassisted, on a level surface at a maximum speed no
3 greater than thirty miles per hour; and
4 (3) A direct or automatic power drive system that requires
5 no clutch or gear shift operation by the moped driver
6 after the drive system is engaged with the power unit.

7 "Moped" does not include an electric foot scooter[–] or electric
8 micro-mobility device, as defined in section 291C-1."

9 2. By deleting the definition of "bicycle".

10 ~~[""Bicycle" means:~~

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

18 SECTION 13. Section 291-31.5, Hawaii Revised Statutes, is
19 amended by amending its title and subsection (a) to read as
20 follows:



1 "§291-31.5 Blue lights prohibited for motor vehicles,
2 motorcycles, motor scooters, bicycles, electric foot scooters,
3 electric micro-mobility devices, and mopeds. (a) No person
4 shall knowingly operate, affix or cause to be affixed, display,
5 or possess any lamp, reflector, or illumination device that
6 appears to be the color blue, or colors blue and red, upon any
7 motor vehicle, motorcycle, motor scooter, bicycle, electric foot
8 scooter, electric micro-mobility device, as defined in section
9 291C-1, or moped, except for:
10 (1) County law enforcement vehicles authorized and
11 approved by the chief of police of the county in which
12 the vehicle is operated;
13 (2) Department of law enforcement vehicles with blue and
14 red lamps, reflectors, or illumination devices
15 authorized and approved by the director of law
16 enforcement; or
17 (3) Department of land and natural resources division of
18 conservation and resources enforcement vehicles with
19 blue and red lamps, reflectors, or illumination
20 devices authorized and approved by the chairperson of
21 the board of land and natural resources.



1 This prohibition shall not apply to factory-installed
2 instrument illumination."

3 SECTION 14. Section 291C, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By adding six new definitions to be appropriately
6 inserted 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
4 not 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, motorcycle, or motor
13 vehicle that can legally be operated on a roadway, street, or
14 highway."

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

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



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

3 SECTION 15. Section 291C-123, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) No person shall drive any vehicle other than a
6 bicycle, electric foot scooter, electric micro-mobility device,
7 or moped upon a bicycle lane or bicycle path, except upon a
8 permanent or authorized temporary driveway, or park any vehicle
9 upon a bicycle lane or bicycle path; provided that any vehicle
10 may be driven or parked in a bicycle lane or bicycle path as
11 applicable if[+] it is:

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

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

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

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

19 (5) [It is necessary] Necessary to assist a stalled or
20 broken vehicle;



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

6 "[f]§291C-139[f] **Electric foot scooters**[-]; **electric**
7 **micro-mobility devices.** (a) This section shall apply whenever
8 an 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 devices.

12 (b) Every person operating an electric foot scooter or
13 electric micro-mobility device 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.



- 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
4 recklessly in disregard of the safety of persons or property
5 shall be assessed penalties as set forth in section 291C-161(b).

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

10 (1) Each renter or lessee that is under the age of
11 [sixteen] eighteen wears a safety helmet, as required
12 by subsection (d), while operating the electric foot
13 scooter[+] or electric micro-mobility device; and
14 (2) Each renter or lessee is provided with a copy of the
15 electric foot scooter and electric micro-mobility
16 device ordinances or rules that have been adopted by
17 the applicable county.

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



1 SECTION 17. Section 291C-143.5, Hawaii Revised Statutes,
2 is amended to read as follows:

3 ~~"[f]S291C-143.5[] Low-speed electric bicycles;]~~ Electric
4 bicycle; operator age. (a) No person under the age of
5 ~~[fifteen]~~ sixteen shall operate a ~~[low-speed]~~ class 3 electric
6 bicycle ~~[as defined under title 15 United States Code section~~
7 ~~2085]~~.

8 (b) A person under the age of fourteen may operate a
9 class 2 electric bicycle only under the direct supervision of a
10 parent, guardian, or a person eighteen years of age or older.

11 (c) For the purposes of this section, "direct supervision"
12 means a supervising parent, guardian, or person eighteen years
13 of age or older is physically present and in reasonable
14 proximity to observe and control the operation of the electric
15 bicycle."

16 SECTION 18. Section 291C-145, Hawaii Revised Statutes, is
17 amended by amending subsection (g) to read as follows:

18 (g) No person shall ride a bicycle equipped with a motor
19 or class 3 electric bicycle on any sidewalk~~[]~~; provided that a
20 person may ride a class 1 electric bicycle or class 2 electric
21 bicycle on a sidewalk at a speed not exceeding ten miles per



1 hour, except in business districts or where prohibited by county
2 ordinance. The counties may, by ordinance, post bicycle lanes
3 and bicycle paths to prevent persons riding a bicycle equipped
4 with a motor from using them."

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

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

18 (b) A person who provides bicycles for hire shall not rent
19 a bicycle to any person unless every person who is under age
20 [~~sixteen~~] eighteen is wearing a bicycle helmet, as required in
21 subsection (a), while operating the rented bicycle, occupying a



1 restraining seat that is attached to the rented bicycle, or
2 riding in a trailer towed by the rented bicycle."

3 SECTION 20. Section 291C-197, Hawaii Revised Statutes, is
4 repealed.

5 ~~["S291C-197 Driving moped on bicycle lanes and paths.~~

6 ~~(a) Wherever bicycle lanes are provided on the roadway, moped~~
7 ~~drivers shall use such bicycle lanes.~~

8 ~~(b) The director of transportation by rule and the~~
9 ~~counties by ordinance may with respect to bicycle paths under~~
10 ~~their respective jurisdictions restrict or prohibit the use of~~
11 ~~such bicycle paths by mopeds. Signs clearly visible to an~~
12 ~~ordinarily observant person indicating the restriction or~~
13 ~~prohibition shall be placed along bicycle paths so designated~~
14 ~~and every moped driver shall obey the directions thereof.~~

15 ~~(c) This section shall not apply to a three-wheeled~~
16 ~~moped."]~~

17 SECTION 21. Sections 249-1, 249-9.2, 286-2, 286-81, 286-
18 81.5, 286-102, 286-102.6, 286-108, 286-109, 286-110, 291-11,
19 291-22, 291-25, 291-31, 291-31.5, 291C-1, 291C-206, 431:10C-103,
20 431:10C-304, 431:10C-305, 431:10C-408, 431:10G-101, 431:10G-102,
21 431:10G-103, 431:10G-104, 431:10G-105, 431:10G-106, 431:10G-107,



1 431:10G-108, 431:10G-201, 431:10G-202, 431:10G-206, 431:10G-301,
2 437-7, 437B-1, 481I-2, and 604A-2, Hawaii Revised Statutes, are
3 amended by substituting the word "motor-driven cycle", or
4 similar term, wherever the word "motor scooter", or similar
5 term, appears, as the context requires.

PART III

7 SECTION 22. Nothing in this Act shall be construed to
8 prohibit the use of mobility devices, as defined in the
9 Americans with Disabilities Act.

10 SECTION 23. This Act does not affect rights and duties
11 that matured, penalties that were incurred, and proceedings that
12 were begun before its effective date.

13 SECTION 24. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 25. This Act shall take effect on July 1, 2026;
16 provided that section 8 shall take effect on December 31, 2026.

17

INTRODUCED BY:



S.B. NO. 2989

Report Title:

Department of Transportation; Rebate; Electric Mobility Subaccount; Electric Mobility Rebate Program; Electric Bicycles; Electric Micro Mobility Devices; Regulation; Electric Mobility Devices; High-Speed Electric Device; Electric Motorcycles; Reports

Description:

Renames the Electric Bicycle and Electric Moped Rebate Program to the Electric Mobility Rebate Program. Expands eligibility and amends the maximum rebate amounts. Allows for the registration of class 3 electric bicycles that have wheels smaller than twenty inches and that are intended for adult use. Establishes safe riding behaviors for electric bicycles. Prohibits the operation of high-speed electric devices in certain locations. Establishes labeling and signage requirements for electric bicycles. Prohibits the operation of a moped or electric motorcycle in certain locations. Amends the definition of "bicycle" for purposes of county vehicular taxes. 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. Authorizes a person under the age of fourteen to operate class 2 electric bicycles under supervision. 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 under certain circumstances. 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. Changes the term "motor scooter" to "motor-driven vehicle".

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

