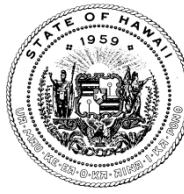


LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

JOSH GREEN, M.D.
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STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Thursday, February 5, 2026
9:30 AM
State Capitol, 430

HB1641
RELATING TO TRANSPORTATION

House Committee on Transportation

The Department of Transportation (DOT) strongly supports H.B. 1641, which prohibits the sale, offer for sale, lease, rental, distribution, possession, or operation of high-speed electric bicycles.

The bill addresses important safety concerns associated with high-speed electric bicycles, defined as bicycles equipped with fully operable pedals and an electric motor capable of speeds greater than twenty miles per hour with motor assistance. These devices are not currently permitted on the State's transportation system due to the safety risks they pose, particularly in shared bicycle lanes, roadways, and areas where pedestrians and vehicles interact.

By clarifying and reinforcing these prohibitions in statute, the bill aligns with the DOT's mission to ensure a safe and efficient transportation system for all users. The establishment of penalties further supports compliance and deters unsafe operation.

Additionally, the bill does not retroactively affect rights and duties that had already matured prior to its effective date, ensuring that existing legal frameworks remain intact while introducing necessary protections moving forward.

Thank you for the opportunity to testify in support of this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

**ON THE FOLLOWING MEASURE:
H.B. NO. 1641, RELATING TO TRANSPORTATION.**

**BEFORE THE:
HOUSE COMMITTEE ON TRANSPORTATION**

DATE: Thursday, February 5, 2026 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 430

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Kevin M. Richardson, Deputy Attorney General

Chair Kila and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments on this bill.

This bill prohibits the sale, offer for sale, lease, rental, distribution, possession, or operation of a high-speed electric bicycle and establishes penalties for such violations. To achieve this, the bill adds a new section to chapter 291C, Hawaii Revised Statutes (HRS), defining "high-speed electric bicycle," identifying prohibited conduct, and imposing penalties for violations.

Electric bicycles are currently regulated to varying degrees at the federal, state, and local levels. In light of this regulatory framework, the Department offers the following suggestions to promote clarity, enforceability, and uniformity.

First, the bill prohibits the offering of high-speed electric bicycles for sale (page 1, line 6). The Department notes that prohibiting the mere act of advertising such bicycles for sale, especially with respect to online sellers and distributors, is problematic. As drafted, the prohibition could be construed to apply to all online platforms or sellers that offer high-speed electric bicycles for sale, regardless of whether a sale actually occurs within the State. Accordingly, we suggest deleting the phrase "offer for sale" (page 1, lines 6 and 13), as the prohibition on sale and distribution appear sufficient to accomplish the bill's stated purpose.

Testimony of the Department of the Attorney General

Thirty-Third Legislature, 2026

Page 2 of 2

Second, the bill prohibits the operation of high-speed electric bicycles on any bicycle lane, highway, roadway, or street (page 1, lines 9-10). For purposes of clarity and consistency with section 15-18.13(a), Revised Ordinances of Honolulu, which similarly prohibits high-powered bicycles with motors on public streets, we recommend inserting the word "public" before "bicycle lane, highway, roadway, or street" on page 1, lines 9-10.

Third, the definition of "high-speed electric bicycle" on page 2, lines 4-5, relies solely on a speed-based metric—specifically, a bicycle "capable of reaching speeds greater than twenty miles per hour with motor assistance." By contrast, section 291C-1, HRS, which incorporates a federal definition of low-speed electric bicycle, includes both a power limitation (having an electric motor of less than 750 watts) and a speed limitation (less than 20 miles per hour when powered solely by motor). Similarly, section 15-18.13(a), Revised Ordinances of Honolulu, incorporates a power limitation of less than 750 watts. To ensure uniformity across regulatory schemes and facilitate enforcement, the Department suggests including a wattage requirement in the definition of high-speed electric bicycle.

Thank you for the opportunity to provide comments on this bill.

HB-1641

Submitted on: 2/3/2026 4:26:27 PM
Testimony for TRN on 2/5/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Smart	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1641 as currently written. The definition of "high speed electric bicycle" is poorly defined and difficult to enforce.

In general bicycles with electric motors for propulsion have been defined as class 1, 2, and 3 based on features and performance. For "low-speed" bicycles, the criteria include a motor power output limit and a performance limit based on a given rider weight on level ground. Obviously when going downhill any bicycle, electric powered or not, is easily capable of exceeding 20 mph.

Suggest a better alternative is "an electric bicycle that provides a hand or foot operated throttle mechanism to control power output". By using this criterion, it would be easy for consumers and law enforcement to identify what is a "high speed electric bicycle".