
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 three 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 with all wheels on the
6 ground at all times with the operator facing forward and seated
7 normally; provided that it shall not be a violation of this
8 subsection if the wheels lose contact with the ground briefly
9 due to the conditions of the road surface or other circumstances
10 beyond the control of the operator.

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

13 (1) Operating an electric bicycle in an unsafe manner or
14 engaging in exhibition riding, such as wheelies or
15 stunts, on any public street, alley, or other public
16 right-of-way; provided that this paragraph shall not
17 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-standard
5 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 electric bicycle.

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, a travel path, a bicycle facility, or
16 other public area, such as a street, highway, or sidewalk.

17 (b) Violation of this section shall constitute a traffic
18 infraction pursuant to chapter 291D. In the case of a violator
19 under the age of eighteen, enforcement may be applied against
20 the parent or legal guardian or addressed through non-monetary
21 corrective action.



1 §291C- Electric bicycles; motor vehicle insurance
2 exemption. Nothing in this chapter shall be construed to
3 require motor vehicle insurance for the operation of a road-
4 legal, permitted, and classified electric bicycle."

5 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding a new section to part XIII to be appropriately
7 designated and to read as follows:

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

- 13 (1) Classification number (class 1, 2, or 3);
14 (2) Top assisted speed; and
15 (3) Motor wattage.

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

18 (b) Distributors of electric bicycles shall place a sign
19 at or near the point of sale with wording substantially similar
20 to the following in all capital letters and printed in no less
21 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 chapter.

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 disclose in writing whether the electric bicycle being sold is
12 legal for use on public roads, sidewalks, or bikes lanes.
13 Disclosures shall include registration, equipment, helmet, and
14 age requirements.

15 (e) The department of transportation may impose
16 administrative fines not to exceed \$500 per violation of
17 noncompliance with this section. The department of
18 transportation may inspect premises of manufacturers,
19 distributors, or sellers or investigate complaints to ensure
20 compliance with this section.



1 (f) The department of transportation shall adopt rules
2 pursuant to chapter 91 to carry out the purpose of this
3 section."

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

7 "§291C- Driving mopeds and electric motorcycles on
8 bicycle lanes and paths; prohibited. (a) No person shall
9 operate a moped or electric motorcycle on a bicycle path,
10 bicycle lane, or any other path or roadway designated for
11 bicycle use.

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

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

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



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

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

5 ""Bicycle" means:

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

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

15 "(b) [~~A low-speed~~] An electric bicycle [~~, as defined under~~
16 ~~title 15 United States Code section 2085,~~] shall be required to
17 be registered, and shall be subject to a permanent registration
18 fee of \$30, to be paid by the owners thereof to the director of
19 finance. No person shall operate an electric bicycle on a
20 public roadway, sidewalk, or bicycle facility unless it has been
21 properly registered pursuant to this subsection. Failure to



1 register may result in citation or temporary impoundment by a
2 law enforcement officer or designated official pursuant to
3 section 249-15.

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

9 SECTION 6. Section 249-15, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§249-15 Seizure and sale.** (a) The directors of finance,
12 any person authoritatively acting on behalf of the director of
13 finance, or any member of a police force of the several counties
14 of the State may seize any bicycle or moped liable for the
15 payment of the required fees or which has no tag or decal
16 affixed as required by section 249-14 for bicycles, or license
17 plate and tag or emblem affixed as required by section 249-14.1
18 for mopeds, and may hold the bicycle or moped for a period of
19 ten days, during which time it shall be subject to redemption by
20 its owner on payment of the fee due and a penalty of \$25. All
21 bicycles and mopeds not so redeemed shall be sold by the county



1 chief of police or director of finance or their authorized
 2 representative, at public auction after first giving five days
 3 public notice of the time and place of sale in the county where
 4 the sale is to be held. Sale shall be made for the best price
 5 obtainable, which amount shall be forthwith paid over to the
 6 director of finance, accompanied by a statement containing a
 7 description of the bicycles or mopeds, their serial number,
 8 makes, and any other marks of identification. The director of
 9 finance, after deducting from the amount so received the amount
 10 of the fee and penalty due and costs of giving public notice,
 11 shall pay any surplus to the previous registered owners of the
 12 bicycles or mopeds. If at the expiration of ninety days the
 13 previous registered owners remain unknown, the surplus shall be
 14 paid into the treasury of the county, as a government
 15 realization, and all claims to the sums shall be forever barred.

16 (b) The directors of finance, any person authoritatively
 17 acting on behalf of a director of finance, or any member of a
 18 police force of the several counties of the State may seize any
 19 non-road-legal, nonconforming electric bicycle or high-speed
 20 electric device, as defined in section 291C-1, for violations
 21 under chapter 291C."

1 SECTION 7. Section 286-2, Hawaii Revised Statutes, is
2 amended to read as follows:

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

4 ""Moped" means a device upon which a person may ride that
5 has:

- 6 (1) Two or three wheels in contact with the ground;
7 (2) A motor having a maximum power output capability
8 measured at the motor output shaft, in accordance with
9 SAE International standards, of two horsepower (one
10 thousand four hundred ninety-two watts) or less and,
11 if it is a combustion engine, a maximum piston or
12 rotor displacement of 3.05 cubic inches (fifty cubic
13 centimeters) and that will propel the moped,
14 unassisted, on a level surface at a maximum speed no
15 greater than thirty miles per hour; and
16 (3) A direct or automatic power drive system that requires
17 no clutch or gear shift operation by the moped driver
18 after the drive system is engaged with the power unit.

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

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



1 [~~"Bicycle" means:~~

2 ~~(1) A device propelled solely by human power upon which~~
3 ~~any person may ride, having two tandem wheels sixteen~~
4 ~~inches in diameter or greater, and including any~~
5 ~~device generally recognized as a bicycle though~~
6 ~~equipped with two front or two rear wheels; or~~

7 ~~(2) A low-speed electric bicycle, as defined under title~~
8 ~~15 United States Code section 2085."]~~

9 SECTION 8. Section 291-31.5, Hawaii Revised Statutes, is
10 amended by amending its title and subsection (a) to read as
11 follows:

12 "**§291-31.5 Blue lights prohibited for motor vehicles,**
13 **motorcycles, motor scooters, bicycles, electric foot scooters,**
14 **electric micro-mobility devices, and mopeds.** (a) No person
15 shall knowingly operate, affix or cause to be affixed, display,
16 or possess any lamp, reflector, or illumination device that
17 appears to be the color blue, or colors blue and red, upon any
18 motor vehicle, motorcycle, motor scooter, bicycle, electric foot
19 scooter, electric micro-mobility device as defined in section
20 291C-1, or moped, except for:



1 (1) County law enforcement vehicles authorized and
2 approved by the chief of police of the county in which
3 the vehicle is operated;

4 (2) Department of law enforcement vehicles with blue and
5 red lamps, reflectors, or illumination devices
6 authorized and approved by the director of law
7 enforcement; or

8 (3) Department of land and natural resources division of
9 conservation and resources enforcement vehicles with
10 blue and red lamps, reflectors, or illumination
11 devices authorized and approved by the chairperson of
12 the board of land and natural resources.

13 This prohibition shall not apply to factory-installed
14 instrument illumination."

15 SECTION 9. Section 291C-1, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By adding six new definitions to be appropriately
18 inserted and to read:

19 "Class 1 electric bicycle" means an electric bicycle
20 equipped with a motor that provides assistance only when the



1 rider is pedaling and ceases to provide assistance when the
2 bicycle reaches the speed of twenty miles per hour.

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

7 "Class 3 electric bicycle" means an electric bicycle
8 equipped with:

9 (1) A motor that provides assistance only when the rider
10 is pedaling and ceases to provide assistance when the
11 bicycle reaches the speed of twenty-eight miles per
12 hour; and

13 (2) A speedometer.

14 "Electric bicycle" means a bicycle equipped with fully
15 operable pedals and an electric motor of no more than seven
16 hundred fifty watts. "Electric bicycle" does not include a
17 high-speed electric device.

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



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

3 "High-speed electric device" means any device with a motor
4 exceeding seven hundred fifty watts and capable of speeds over
5 twenty-eight miles per hour. "High-speed electric device" does
6 not include:

7 (1) A moped or motor vehicle that is registered as
8 required by law to operate on public roadways;

9 (2) A motor vehicle that is specifically exempted from
10 registration in section 286-41; or

11 (3) An electric vehicle as defined in section 196-2."

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

13 ""Bicycle" means:

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

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



1 SECTION 10. Section 291C-123, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

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

- 10 (1) [~~It is in~~] In the process of executing a legal turn,
11 lane change, or parking maneuver;
- 12 (2) [~~It is an~~] An authorized emergency vehicle performing
13 the functions under section 291C-26;
- 14 (3) [~~It is an~~] An official federal, state, or county
15 vehicle in the performance of its actual duty;
- 16 (4) [~~It is a~~] A stalled or broken vehicle;
- 17 (5) [~~It is necessary~~] Necessary to assist a stalled or
18 broken vehicle;
- 19 (6) [~~It is necessary~~] Necessary to yield to an authorized
20 emergency vehicle pursuant to section 291C-65; or
- 21 (7) [~~It is otherwise~~] Otherwise provided by law."



1 SECTION 11. Section 291C-139, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§291C-139[+] **Electric foot scooters[-]; electric**
4 **micro-mobility devices.** (a) This section shall apply whenever
5 an electric foot scooter or electric micro-mobility device is
6 operated upon any highway, street, roadway, or other designated
7 public area set aside for the use of electric foot scooters[-]
8 or electric micro-mobility devices.

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

14 (1) Section to the contrary; and

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

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

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



1 (2) Storage and docking locations;

2 (3) Restrictions on maximum speed;

3 (4) Safety considerations; and

4 (5) Insurance requirements;

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

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

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



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

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

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

20 (i) Any person who operates an electric foot scooter or
21 electric micro-mobility device recklessly in disregard of the



1 safety of persons or property shall be assessed penalties as set
2 forth in section 291C-161(b).

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

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

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

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

18 SECTION 12. Section 291C-143.5, Hawaii Revised Statutes,
19 is amended to read as follows:

20 "[+]§291C-143.5[+] ~~Low-speed electric bicycles;~~ Electric
21 bicycles; operator age. (a) No person under the age of



1 ~~[fifteen]~~ sixteen shall operate a ~~[low-speed]~~ class 2 or class 3
2 electric bicycle ~~[as defined under title 15 United States Code~~
3 ~~section 2085.]~~ unless under the direct supervision of a parent
4 or guardian.

5 (b) For purposes of this section, "direct supervision"
6 means a supervising parent, guardian, or person eighteen years
7 of age or older is physically present and in reasonable
8 proximity to observe and control the operation of the electric
9 bicycle."

10 SECTION 13. Section 291C-145, Hawaii Revised Statutes, is
11 amended by amending subsection (g) to read as follows:

12 "(g) No person shall ride a bicycle equipped with a motor
13 on any sidewalk~~[-]~~; provided that a person may ride a class 1
14 electric bicycle, class 2 electric bicycle, or class 3 electric
15 bicycle on a sidewalk at a speed not exceeding ten miles per
16 hour, except in business districts or where prohibited by county
17 ordinance; provided that a county may establish by ordinance
18 additional reasonable restrictions on the operation of any class
19 of electric bicycle on a sidewalk. The counties may, by
20 ordinance, post bicycle lanes and bicycle paths to prevent
21 persons riding a bicycle equipped with a motor from using them."



1 SECTION 14. Section 291C-150, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

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

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

20 SECTION 15. Section 291C-197, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§291C-197 Driving mopeds on bicycle lanes and paths.~~

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

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

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

13 SECTION 16. Sections 249-1, 249-9.2, 286-2, 286-81, 286-
14 81.5, 286-102, 286-102.6, 286-108, 286-109, 286-110, 291-11,
15 291-22, 291-25, 291-31, 291-31.5, 291C-1, 291C-206, 431:10C-103,
16 431:10C-304, 431:10C-305, 431:10C-408, 431:10G-101, 431:10G-102,
17 431:10G-103, 431:10G-104, 431:10G-105, 431:10G-106, 431:10G-107,
18 431:10G-108, 431:10G-201, 431:10G-202, 431:10G-206, 431:10G-301,
19 437-7, 437B-1, 481I-2, and 604A-2, Hawaii Revised Statutes, and
20 the title of chapter 431, article 10G, Hawaii Revised Statutes,
21 are amended by substituting the term "motor-driven cycle", or



1 similar term, wherever the term "motor scooter", or similar
2 term, appears, as the context requires.

3 SECTION 17. Nothing in this Act shall be construed to
4 prohibit the use of mobility devices, as defined in the
5 Americans with Disabilities Act.

6 SECTION 18. Each county shall ensure that the definitions
7 pursuant to section 249-1, Hawaii Revised Statutes, are adopted
8 and updated annually in its ordinances for the purposes of
9 vehicular tax treatment and classification.

10 SECTION 19. 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 20. If any provision of this Act, or the
14 application thereof to any person or circumstance, is held
15 invalid, the invalidity does not affect other provisions or
16 applications of the Act that can be given effect without the
17 invalid provision or application, and to this end the provisions
18 of this Act are severable.

19 SECTION 21. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 22. This Act shall take effect upon its approval;
2 provided that section 2 shall take effect one hundred twenty
3 days after the effective date of this Act, or earlier upon the
4 adoption of rules pursuant to chapter 91, Hawaii Revised
5 Statutes.



Report Title:

Electric Bicycles; Electric Micro-mobility Devices; Regulation; Electric Mobility Devices; High-speed Electric Device; Electric Motorcycles

Description:

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 bicycle" in place of "low-speed electric bicycle". Authorizes the seizure of non-road-legal, nonconforming electric bicycles and high-speed electric devices. Defines "electric micro-mobility device" and requires the same regulations as electric foot scooters. Prohibits a person under the age of sixteen from operating a class 2 or class 3 electric bicycle without direct supervision. Authorizes a person to ride an 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. Substitutes the term "motor scooter" with the term "motor-driven cycle".
(HD2)

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

