

ACT 148

S.B. NO. 1853-76

A Bill for an Act Relating to Bicycles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 286-2, Hawaii Revised Statutes, Definition of Bicycle: "Bicycle" means every device propelled by human power or motor power of

one and one-half horsepower or less upon which any person may ride, having two tandem wheels sixteen inches in diameter or greater, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

SECTION 2. Section 291C-1, Hawaii Revised Statutes, is amended by amending items (14), (15) and (40), the definitions of “motor vehicle”, “motorcycle”, and “vehicle” to read:

- (14) “Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power but not operated upon rails but excluding bicycle.
- (15) “Motorcycle” means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor and bicycle.
- (40) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, but excluding bicycle.”

SECTION 3. Section 291C-143, Hawaii Revised Statutes, is amended to read:

“**Sec. 291C-143 Riding on bicycles.** (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereon.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, however no more than one person will be allowed to ride a bicycle equipped with a motor at a time.

(c) No person less than fifteen years of age shall operate a bicycle equipped with a motor.”

SECTION 4. Section 291C-145, Hawaii Revised Statutes, is amended to read:

“**Sec. 291C-145 Riding on roadways and bicycle paths.** (a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall ride in single file; provided that upon paths or parts of roadways set aside for the exclusive use of bicycles riding two abreast shall be permitted, unless otherwise prohibited by rule or ordinance adopted by the director of transportation or by the counties.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use the path and shall not use the roadway; provided that the counties of 100,000 people or more may, by ordinance, post certain bike ways to prevent persons riding a bicycle equipped with a motor from using them.

(d) No person shall ride a bicycle equipped with a motor on any sidewalk.

SECTION 5. Section 291C-147, Hawaii Revised Statutes, is amended to read:

“**Sec. 291C-147 Lamps and other equipment on bicycles.** (a) Any bicycle

used upon any highway from thirty minutes after sunset until thirty minutes before sunrise shall display a lighted lamp, facing forward, which shall meet the following specifications:

- (1) Emit a white light;
- (2) Be visible at night when viewed from any direction within thirty degrees to each side of the longitudinal axis toward the front of the bicycle from a distance of at least five hundred feet.

(b) A tail lamp when used on a bicycle shall meet the following specifications:

- (1) Emit a red light; and
- (2) Be visible at night when viewed from any direction within thirty degrees to each side of the longitudinal axis toward the rear of the bicycle from a distance of at least five hundred feet.

(c) A lamp meeting the specifications of subsections (a) and (b) displayed on the left arm or left leg of the bicycle operator shall be considered to meet the requirements of subsections (a) and (b).

(d) After December 31, 1974, no person shall use any bicycle upon any highway from thirty minutes after sunset until thirty minutes before sunrise unless the bicycle or the operator is equipped with Class A reflectors meeting the specifications of the Society of Automotive Engineers Standard J594d-1970, or an area of reflectorized material, as follows:

- (1) A crystal (white) reflector with a minimum of three square inches in area or six square inches of white reflectorized material on the front facing straight ahead in a position which will not be obstructed at any time when viewed from the front of the bicycle;
- (2) An amber reflector with a minimum of three square inches in area or twelve square inches of amber reflectorized material on each side facing outward;
- (3) Amber reflectors on both front and rear surfaces of all pedals;
- (4) A red reflector with a minimum of three square inches in area facing to the rear in a position which will not be obstructed at any time when viewed from the rear; and
- (5) The requirement of item (2) of this subsection shall not apply to bicycles having a reflectorized finish covering the entire bicycle frame.

(e) After December 31, 1974, no person shall use any bicycle upon the highway unless it is equipped with a bell or any other device, except a siren or a whistle which are prohibited, capable of giving a signal audible for a distance of at least one hundred feet.

(f) A bicycle propelled exclusively by human power shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(g) A bicycle equipped with a motor shall have:

- (1) A braking device attached at the wheel hub which will enable the operator to stop the bicycle in twenty-four feet from a speed of twenty miles per hour on dry, level, clean pavement.

(h) A bicycle equipped with a motor when used upon any highway from thirty minutes after sunset until thirty minutes before sunrise shall display a

lighted headlamp and tail lamp.

(i) A motor used to power a bicycle shall not be modified in any manner except as authorized by the motor manufacturer and any such modification shall not increase the power capacity of the motor exceed one and one-half horsepower.”

SECTION 6. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 7. This Act shall take effect upon its approval.

(Approved May 27, 1976.)

*Edited accordingly.