



GOV. MSG. NO. 839

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 19, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 19, 2008, the following bill was signed into law:

HB931 HD1 SD1 CD1

A BILL FOR AN ACT RELATING TO MOPEDS.
(ACT 197)

Sincerely,



LINDA LINGLE

Approved by the Governor

on JUN 19 2008

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

ACT 197
H.B. NO.

931
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO MOPEDS.

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

1 SECTION 1. Section 291C-195, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§291C-195 Driving of mopeds. (a) No person less than
4 fifteen years of age shall drive a moped on a highway, street,
5 roadway, or any other public property in the [~~State.~~] state. No
6 person less than eighteen years of age shall drive a moped
7 unless the person wears a safety helmet securely fastened with a
8 chin strap. The safety helmet shall meet the specifications and
9 requirements established by rules adopted by the director.

10 (b) No person shall drive a moped except while sitting
11 astride the seat, facing forward, with one leg on each side of
12 the moped.

13 (c) No person shall drive a moped which is carrying any
14 other person nor shall any person other than the driver ride
15 upon a moped.

16 (d) Subsections (b) and (c) shall not apply to three-
17 wheeled mopeds designed to carry a driver and passenger seated
18 side by side.



1 (e) Three-wheeled mopeds shall be insured for liability
2 and property damage, excluding personal injury protection."

3 SECTION 2. Section 291C-196, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§291C-196 Driving mopeds on roadways.** (a) Every person
6 driving a moped, except a three-wheeled moped, upon a roadway at
7 a speed less than the normal speed of traffic moving in the same
8 direction at such time shall ride as near to the right side of
9 the roadway as practicable, exercising due care when passing a
10 standing vehicle or one proceeding in the same direction, except
11 under any of the following situations:

12 (1) When preparing for a left turn at an intersection or
13 into a private road or driveway, except where
14 prohibited by official traffic-control devices;

15 (2) When reasonably necessary to avoid conditions
16 (including, but not limited to fixed or moving
17 objects, vehicles, bicycles, pedestrians, animals,
18 surface hazards, or substandard width lanes) that make
19 it unsafe to continue along the right-hand curb or
20 edge; and

21 (3) When a roadway is designated and signposted to carry
22 traffic in one direction only and has two or more



1 marked traffic lanes, a person operating a moped may
2 ride as near to the left-hand side of the roadway as
3 practicable.

4 (b) Persons driving mopeds upon a roadway shall drive in
5 single file.

6 (c) No person shall drive a moped on any sidewalk or area
7 intended for use as a sidewalk, nor shall any person drive a
8 moped on any path or other area intended for the exclusive use
9 of pedestrians.

10 (d) A three-wheeled moped shall be restricted to traveling
11 on roadways with a posted speed limit of thirty-five miles per
12 hour or less."

13 SECTION 3. Section 291C-197, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§291C-197[+] **Driving mopeds on bicycle lanes and**
16 **paths.** (a) Wherever bicycle lanes are provided on the roadway,
17 moped drivers shall use such bicycle lanes.

18 (b) The director of transportation by rule and the
19 counties by ordinance may with respect to bicycle paths under
20 their respective jurisdictions restrict or prohibit the use of
21 such bicycle paths by mopeds. Signs clearly visible to an
22 ordinarily observant person indicating the restriction or



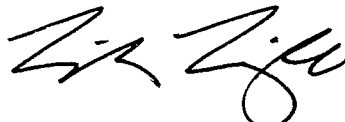
1 prohibition shall be placed along bicycle paths so designated
2 and every moped driver shall obey the directions thereof.

3 (c) This section shall not apply to a three-wheeled
4 moped."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 2008.

APPROVED this 19 day of JUN , 2008



GOVERNOR OF THE STATE OF HAWAII

