
A BILL FOR AN ACT

RELATING TO YOSCOOTERS.

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

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

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

5 "Yoscooter" means an electrically-powered vehicle which
6 has three wheels in contact with the ground and is designed to
7 be operated at speeds of fifteen miles per hour or less."

8 2. By amending the definitions of "moped", "motorcycle",
9 "motor scooter", "motor vehicle", and "vehicle" to read:

10 "Moped" means a device upon which a person may ride which
11 has two or three wheels in contact with the ground, a motor
12 having a maximum power output capability measured at the motor
13 output shaft, in accordance with the Society of Automotive
14 Engineers standards, of two horsepower (one thousand four
15 hundred ninety-two watts) or less and, if it is a combustion
16 engine, a maximum piston or rotor displacement of 3.05 cubic
17 inches (fifty cubic centimeters) and which will propel the
18 moped, unassisted, on a level surface at a maximum speed no



1 greater than thirty miles per hour; and a direct or automatic
2 power drive system which requires no clutch or gear shift
3 operation by the moped driver after the drive system is engaged
4 with the power unit. "Moped" excludes a yoscooter."

5 "Motorcycle" means every motor vehicle having a seat or
6 saddle for the use of the rider and designed to travel on not
7 more than three wheels in contact with the ground but excludes a
8 farm tractor [~~and a~~], moped[-], and yoscooter.

9 "Motor scooter" means every motorcycle which produces not
10 more than five horsepower, and excludes a moped[-] and
11 yoscooter.

12 "Motor vehicle" means every vehicle which is self-propelled
13 and every vehicle which is propelled by electric power but which
14 is not operated upon rails, but excludes a moped[-] and
15 yoscooter.

16 "Vehicle" means every device in, upon, or by which any
17 person or property is or may be transported or drawn upon a
18 roadway or highway, including mopeds, yoscooters, and bicycles,
19 but excluding toy bicycles, devices other than bicycles moved by
20 human power, and devices used exclusively upon stationary rails
21 or tracks."



1 SECTION 2. Section 291C-148, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§291C-148 Driving ~~upon~~ a bicycle on a sidewalk.** [~~(a)~~

4 ~~Except as provided in subsection (b), no person shall drive any~~
5 ~~vehicle upon a sidewalk or sidewalk area except upon a permanent~~
6 ~~or authorized temporary driveway.~~

7 ~~(b)]~~ Unless otherwise prohibited, a bicycle may be driven
8 at a speed of ten miles per hour or less on a sidewalk or
9 sidewalk area; provided that the driver of the bicycle shall
10 yield the right-of-way to any pedestrian, and [~~that~~] bicycle
11 riding shall be prohibited on sidewalks in business districts.

12 [~~(c) This section shall not be construed as preempting the~~
13 ~~director of transportation's or counties' authority to control~~
14 ~~parking on sidewalks under section 291C-114. Nor shall this~~
15 ~~section be construed as prohibiting the director or a county~~
16 ~~from authorizing parking on sidewalks when the authorization is~~
17 ~~promulgated in accordance with section 291C-114.] "~~

18 SECTION 3. Section 291C-163, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) This chapter shall not be deemed to prevent counties
21 with respect to streets and highways under their jurisdiction
22 from:



- 1 (1) Regulating or prohibiting stopping, standing, or
- 2 parking except as provided in section 291C-111;
- 3 (2) Regulating traffic by means of police officers or
- 4 official traffic-control devices;
- 5 (3) Regulating or prohibiting processions or assemblages
- 6 on the highways;
- 7 (4) Designating particular highways or roadways for use by
- 8 traffic moving in one direction;
- 9 (5) Establishing speed limits for vehicles in public
- 10 parks;
- 11 (6) Designating any highway as a through highway or
- 12 designating any intersection as a stop or yield
- 13 intersection;
- 14 (7) Restricting the use of highways;
- 15 (8) Regulating the operation and equipment of and
- 16 requiring the registration and inspection of bicycles,
- 17 including the requirement of a registration fee;
- 18 (9) Regulating or prohibiting the turning of vehicles or
- 19 specified types of vehicles;
- 20 (10) Altering or establishing speed limits;
- 21 (11) Requiring written accident reports;
- 22 (12) Designating no-passing zones;



- 1 (13) Prohibiting or regulating the use of controlled-access
2 roadways by any class or kind of traffic;
- 3 (14) Prohibiting or regulating the use of heavily traveled
4 streets by any class or kind of traffic found to be
5 incompatible with the normal and safe movement of
6 traffic;
- 7 (15) Establishing minimum speed limits;
- 8 (16) Designating hazardous railroad grade crossing;
- 9 (17) Designating and regulating traffic on play streets;
- 10 (18) Prohibiting pedestrians from crossing a roadway in a
11 business district or any designated highway except in
12 a crosswalk;
- 13 (19) Restricting pedestrian crossing at unmarked
14 crosswalks;
- 15 (20) Regulating persons propelling push carts;
- 16 (21) Regulating persons upon skates, coasters, sleds, and
17 other toy vehicles;
- 18 (22) Adopting and enforcing such temporary or experimental
19 regulations as may be necessary to cover emergencies
20 or special conditions;
- 21 (23) Adopting maximum and minimum speed limits on streets
22 and highways within their respective jurisdictions;



1 (24) Adopting requirements on stopping, standing, and
2 parking on streets and highways within their
3 respective jurisdictions except as provided in section
4 291C-111;

5 (25) Regulating the use of yoscooters on sidewalks;

6 (26) Regulating the age of a user of a yoscooter; and

7 ~~(25)~~ (27) Adopting such other traffic regulations as are
8 specifically authorized by this chapter."

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun, before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2009.



Report Title:

Yoscooter; Limits on Operation

Description:

Defines "yoscooter" in the Statewide Traffic Code; allows counties the ability to regulate the use of "yoscooters" on public sidewalks. (HB771 HD1)

