
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. No person
6 less than eighteen years of age shall drive a moped unless the
7 person wears a safety helmet securely fastened with a chin
8 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) No person shall drive a moped while carrying any
17 package, bundle, or other article which prevents the person from
18 keeping both hands on the handlebars.



1 (e) No person shall drive a moped with handlebars more
2 than fifteen inches in height above that portion of the seat
3 occupied by the driver.

4 [~~d~~] (f) Subsections (b) and (c) shall not apply to three-
5 wheeled mopeds designed to carry a driver and passenger seated
6 side by side.

7 [~~e~~] (g) Three-wheeled mopeds shall be insured for
8 liability and property damage, excluding personal injury
9 protection."

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

12 "**§291C-196 Driving mopeds on roadways.** (a) Every person
13 driving a moped, except a three-wheeled moped, upon a roadway at
14 a speed less than the normal speed of traffic moving in the same
15 direction at such time shall ride as near to the right side of
16 the roadway as practicable, exercising due care when passing a
17 standing vehicle or one proceeding in the same direction, except
18 under any of the following situations:

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



1 (2) When reasonably necessary to avoid conditions
2 [+]including, but not limited to fixed or moving
3 objects, vehicles, bicycles, pedestrians, animals,
4 surface hazards, or substandard width lanes[+] that
5 make it unsafe to continue along the right-hand curb
6 or edge; and

7 (3) When a roadway is designated and signposted to carry
8 traffic in one direction only and has two or more
9 marked traffic lanes, a person operating a moped may
10 ride as near to the left-hand side of the roadway as
11 practicable.

12 (b) Persons driving mopeds upon a roadway shall drive in
13 single file.

14 (c) No person shall drive a moped on any sidewalk or area
15 intended for use as a sidewalk, nor shall any person drive a
16 moped on any path or other area intended for the exclusive use
17 of pedestrians.

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

21 (e) The driver of a moped shall not overtake and pass in
22 the same lane occupied by the vehicle being overtaken.



1 (f) No person shall drive a moped between lanes of traffic
2 or between adjacent lines or rows of vehicles."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Signature]
Linda Chiyama
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JAN 23 2012



H.B. NO. 2356

Report Title:

Mopeds; Statewide Traffic Code

Description:

Prohibits persons driving a moped from carrying any package, bundle, or other article which prevents the person from keeping both hands on the handlebars. Prohibits the operation of a moped with handlebars more than fifteen inches in height above that portion of the seat occupied by the driver. Prohibits the driver of a moped from overtaking and passing in the same lane occupied by the vehicle being overtaken. Prohibits the operation of a moped between lanes of traffic or between adjacent lines or rows of vehicles.

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