

DEPARTMENT OF CUSTOMER SERVICES  
**CITY & COUNTY OF HONOLULU**  
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS  
ADMINISTRATION  
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LICENSING ADMINISTRATOR

February 4, 2011

The Honorable Joseph M. Souki, Chair  
and Committee Members  
Committee on Transportation  
House of Representatives  
State of Hawaii  
State Capitol, Room 426  
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

Subject: H.B. No. 358, Relating to Hybrid Bicycles

The City and County of Honolulu agrees with the intent of H.B. No. 358, but recommends clarifying amendments.

In order to distinguish electric bicycles from mopeds and motor scooters, we recommend that the definition of an electric bicycle contained in Section 3 and Section 4 of the bill meet the federal definition for maximum power and speed as contained in Public Law 107-319, section 1, 116 Stat. 2776 (2002).

In Sections 3 and 4 of the bill, we recommend the following sentence be added:

"If powered by an electric motor, the electric motor shall be less than 750 watts (1 h.p.), and the maximum speed on a paved level surface is shall be less than 20 mph."

The City and County of Honolulu recommends your favorable action on H.B. No. 358, as amended.

Sincerely,

*Gail Y. Haraguchi*  
for  
Gail Y. Haraguchi  
Director

# Maui Bicycle Alliance

*Keeping Maui on the Right Path*

TO: Representative Joseph Souki, Chair  
Representative Linda Ichiyama, Vice Chair  
Transportation Committee

FROM: Walter Enomoto, President, Maui Bicycle Alliance

MEETING DATE: February 9, 2011. 9:00AM

SUBJECT: Support for HB358 with amendments

Aloha Representative Souki, Ichiyama and Transportation Committee Members;

I am writing on behalf of the 400+ Maui bicyclists who support HB358 with amendments.

The Maui Bicycle Alliance is a grassroots bicycling advocacy organization committed to improving conditions for bicycling in Maui County. We promote bicycling and advocate bicycle use in Maui County for health, recreation, sport and transportation purposes.

The technological growth of electric assist bicycles over the past few years has shown that this area of bicycling will continue to grow. We applaud the Transportation Committee's work in recognizing this alternative transportation vehicle.

For those who are not as physically able to ride a regular bicycle, these pedal assist electric powered vehicles provide longer distance options with less effort. This will help to increase the number of people who travel by bicycle thereby avoiding the use of fossil fuel vehicles. This also helps to improve the cyclist's health and well being.

We would ask the committee to consider amending this bill to include only those electric bicycles manufactured to meet the Consumer Product Safety Commissions requirements.

This excerpt is taken from the Wikipedia link on "Electric Bicycle Laws" and states:  
"The Consumer Product Safety Commission(CPSC) stipulates that commercially manufactured<sup>[24]</sup> low-speed electric bicycles, or tricycles, must have fully operable pedals, an electric motor of less than 750W of power and a top motor-powered speed not in excess of 20 miles per hour (32 km/h) with a rider weighing 150 pounds.<sup>[25]</sup> An electric bike remaining within these specifications will be regarded simply as a bicycle for purposes of safety standards. This supersedes any state law that is more stringent, but only regarding safety equipment required on electric bicycles and the standard of manufacture they must meet.<sup>[26]</sup> *The legislation enacting this amendment to the CPSC is also known as HR 727.*<sup>[27]</sup>"

By including the CPSC requirements, this would preclude the creation of "homemade" electric bicycles which may go faster than the CPSC requirements and pose more of a safety hazard for the rider and other bicyclists and pedestrians.

Another prudent consideration may limit the use of electric bicycles to those 16 years of age and older as they are more skilled and physically able to properly control a powered bicycle. According to the same article above, 8 other states set minimum age limits for riding these electric bicycles.

Mahalo for the opportunity to testify on this measure.

HB 358

RELATING TO HYBRID BICYCLES  
DENNIS SAIKI

February 9, 2011

Chairman Souki and members of the House Transportation Committee:

I am Dennis Saiki testifying in support with suggested amendments on HB 358, Relating to Hybrid Bicycles.

By way of background, I have been involved with bicycling in Hawaii for over 40 years. In 1970 I started my own bicycle shop that still remains in business today and I served in different leadership roles during the formative years of the Hawaii Bicycle League.

I wholeheartedly agree with the promotion of "hybrid bicycles" as a practical means for transportation, exercise and recreation. Advances in battery technology for electric cars, laptop computers and wireless phones have made it feasible for manufacturers to harness the latest battery technology for use in the production of environmentally friendly electric assisted bicycles or "e-bikes."

My concern is related to the language found on page 3, lines 20-22 which reads, "A vehicle as described in paragraph (1), with an electric motor to supplement human pedal power or to power the vehicle entirely." I respectfully request the words "or to power the vehicle entirely" be eliminated or amended because this language may lead to unintended consequences and be inconsistent with federal guidelines.

Electric bikes without the need of pedals are not bicycles and defy the federal guidelines. Also, to protect the safety of both bicyclist and motorists alike, HB 358 should be amended to include a cap on maximum electric powered only speed in its definition of "bicycle" similar to federal guidelines.

Bicycles are presently allowed certain privileges, freedoms and safeguards because of their low speed and many youthful riders, and this should not be jeopardized. So to close this "loophole" in HB 358 the committee may want to consider incorporating the following federal language to the definition of electric bicycle:

*"...a two or three wheeled vehicle with fully operable pedals and an electric motor motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph." CONSUMER PRODUCT SAFETY ACT (15 U.S.C. 2051 et seq)SEC.38.(b)*

Similar language is also used by the federal National Highway Traffic Safety Administration, Consumer Product Safety Commission and Department of Transportation.

Thank you for the opportunity to testify on this measure and for supporting efforts to promote environmentally friendly modes of transportation.