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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 24, 2020
2:00 P.M.
State Capitol, Room 325



H.B. 1955, H.D. 1
RELATING TO ELECTRIC FOOT SCOOTERS

House Committee on Judiciary

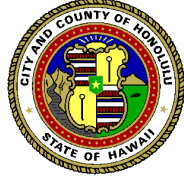
The Department of Transportation **supports** H.B. 1955, H.D. 1 which establishes a framework for the regulation of electric foot scooters by the State and counties. Amends definitions of "moped" to exclude electric foot scooters.

As the use of micro-mobility devices grow, the State of Hawaii will continue to work with the four counties as they evaluate and prioritize this new and alternative form of transportation to ensure safe and equitable usage on our roadways.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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TESTIMONY TO THE
HOUSE COMMITTEE ON JUDICIARY (JUD)

FEBRUARY 24, 2020
2:00 AM

**IN SUPPORT OF
HB 1955, HD 1 – RELATING TO ELECTRIC FOOT SCOOTERS**

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Transportation Services is in strong support of this measure that introduces electric foot scooters into the Statewide Traffic Code and other applicable sections of the Hawaii Revised Statutes.

Electric foot scooters and other micromobility options have enormous potential to be a solution to reducing transportation costs, vehicle congestion on our roads, dependence on fossil fuels, and pollutants and harmful emissions. These vehicles are also a good option for first-mile/last-mile connections for many who use public transit as a primary mode of transportation. We are seeing electric foot scooters on our roads more frequently now, and it is time to adopt the necessary statutes to appropriately regulate these vehicles. Without this bill, this viable transportation solution will remain illegal.

In addition to allowing for the use of these new vehicle types in Hawaii and establishing minimum standards, we appreciate that this bill affords each county the ability to further regulate scooters within the statewide framework in a manner that suits the respective counties. As our agency is responsible for providing a multimodal transportation system for the City and County of Honolulu, this measure will enable us to incorporate shared fleets into our system.

Thank you for consideration of this measure and for the opportunity to provide this testimony.



LATE

Email: communications@ulupono.com

HOUSE COMMITTEE ON JUDICIARY
Monday, February 24, 2020 — 2:00 p.m. — Room 325

Ulupono Initiative supports HB 1955 HD 1, Relating to Electric Foot Scooters.

Dear Chair Lee and Members of the Committee:

My name is Amy Hennessey, and I am the Senior Vice President of Communications & External Affairs at Ulupono Initiative. We are a Hawai'i-based impact investment firm that strives to improve our community's quality of life by creating more locally produced food; increasing affordable clean renewable energy and transportation options; and better managing waste and fresh water resources.

Ulupono supports HB 1955 HD 1, which establishes a framework for the regulation of electric foot scooters by the State and the counties.

Ulupono supports the State's efforts to meet renewable energy goals and promote clean transportation. Ground transportation makes up a significant portion of Hawai'i's reliance on imported oil and the largest contributor to our State's greenhouse gas emissions. Ulupono supports the use of alternative modes of transportation, such as a well-managed electric scooter regulatory framework that can be a clean, viable option for short distance trips.

Thank you for this opportunity to testify.

Respectfully,

Amy Hennessey, APR
Senior Vice President, Communications & External Affairs

Investing in a Sustainable Hawai'i

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San Francisco, CA 94110
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February 24, 2020

TO: Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

FROM: Lauren Urhausen, Regional Director, External Affairs
Skip Transport, Inc.

RE: HB1955 HD1 RELATING TO ELECTRIC FOOT SCOOTERS - SUPPORT WITH AMENDMENTS

Establishes a framework for the regulation of electric foot scooters by the State and counties. Amends definitions of "moped" to exclude electric foot scooters.

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

Skip thanks you for your dedication to micromobility and providing new means of transportation to get around. Data shows that giving communities more transportation options make it easier than ever for people to make environmentally-friendly transportation choices and help cities meet their environmental impact goals.

As the stresses of fleet use on dockless scooters have become more properly understood, Skip has found it necessary to develop a scooter with more robust components and features. Designed with safety and sustainability as top goals, the S3 scooter has better sensors, better lights (rear and front), a swappable battery, and a lower center of gravity creating not only the smoothest scooter ride but also the safest. These design enhancements, which we believe will vastly improve rider safety and the long-term sustainability of the shared scooter, have also increased the weight of the final design to be over 50lbs.

Skip respectfully suggests that HB1955 HD1 include a provision for scooters to be inspected and approved on a case by case basis, with no defined weight restriction. This gives discretion to the local regulating agency to ensure that vehicles that are deployed meet their safety criteria and sustainability goals.



LATE

Hon. Representative Chris Lee, Chair
Hon. Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

Todd Maron, Chief Legal Officer
Wheels Labs, Inc.
tmaron@wheels.co

Monday, February 24, 2020

Aloha Chair Lee and Vice Chair San Buenaventura,

My name is Todd Maron, Chief Legal Officer of Wheels Labs, Inc., where I work with a team of innovators determined to transform the shared mobility marketplace. At Wheels, we pride ourselves on safety and focus also on sustainability, comfortability, and reliability.

We are submitting testimony today **in opposition to the current form of H.B. No. 1955 H.D. 1 and humbly request an amendment** in the definition in order to be more inclusive of innovative solutions.

The reason why Wheels does not support the currently proposed legislation is because it would exclude us from being classified as a scooter, and thus eliminate us from participating in scooter programs, while Wheels has already been excluded from being classified as a low-speed electric bicycle from current legislation that requires fully operable pedals, and thus Wheels is eliminated from participating in low-speed electric bicycle programs. Simply put, the community would not have the option of using our very safe and innovative device because we don't fit in the definition of either an electric bicycle or an electric foot scooter in Hawaii.

In terms of scooters, the proposed definition of "Electric foot scooter" includes a requirement that the device contain a floorboard. Because a Wheels device is seated rather than standing, it does not contain a floorboard and thus would not fit within the definition. Notably, Wheels devices meet all of the other requirements of the proposed definition (it is less than seventy-five pounds, it has two wheels, it has handlebars, and is solely powered by an electric motor which has a maximum speed that does not exceed fifteen miles per hour), so the floorboard requirement is the only issue.

In terms of low-speed electric bicycles, Section 249-1 of the Hawaii Revised Statutes defines a low-speed electric bicycle as meeting the definition under title 15 United States Code section 2085(b). That US Code section defines a low-speed electric bicycle as "a two- or three-wheeled vehicle with fully operable pedals and an electric 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." Wheels devices comply with each of



the requirements of this definition, except that Wheels devices have stationary footrests rather than fully operable pedals. Thus, our device does not meet the definition of a “low-speed electric bicycle.”

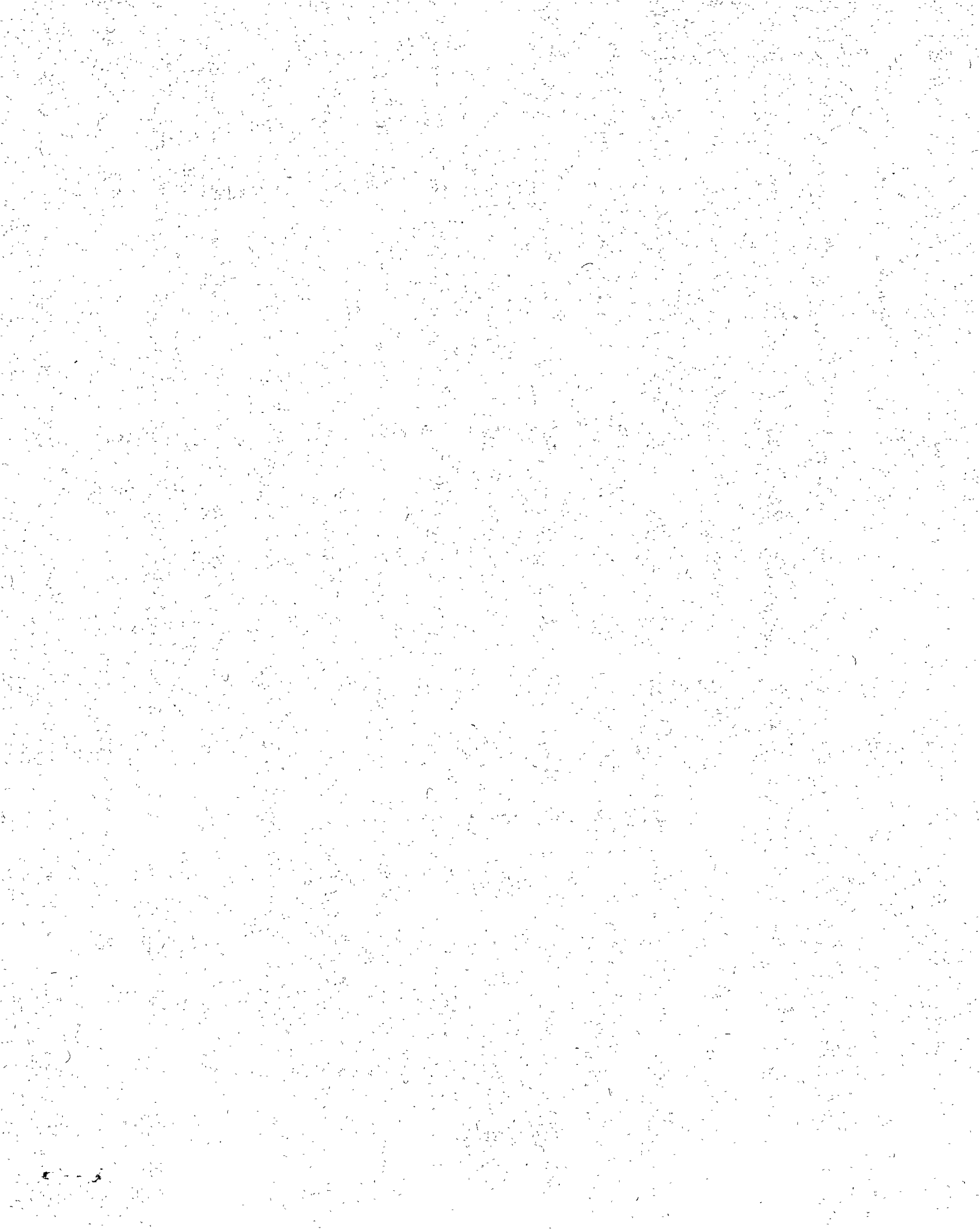
As a result, if this proposed legislation were to pass, Wheels would be excluded from participating in any micromobility program in Hawaii, whether a scooter program or a low-speed electric bicycle program. This result would not make sense for several reasons.

First, this would be a totally unprecedented situation for Wheels as there are no other states or localities where Wheels cannot operate as either a scooter or electric bicycle. We humbly ask that Hawaii not be the one place where this is the case.

Second, the Wheels device is functionally the same as any of the scooters. The power of the device, the number of wheels, and the size of the device are all the same between a Wheels device and any of the other scooters. The only difference is that Wheels are seated devices, and this is simply not a meaningful distinction.

Third, the fact that a Wheels device is seated actually provides a significant safety benefit. The seated position of a Wheels device leads to a lower center of gravity and an additional point of contact between the device and the rider – two hands, two feet, and the seat. When combined with the larger 14 inch wheels, and the fact that Wheels is the only micromobility company to offer an integrated helmet system (a shareable helmet with biodegradable headliners actually lives directly on the device), this results in significantly better safety. As a reference point, the number of injury claims reported to Wheels represents a rate of less than 0.001% (one-thousandth of 1%) of total miles ridden, or less than 1 injury for every 90,000 miles ridden. This is 19 times better than the Center for Disease Control’s finding that for e-scooter usage in Austin, Texas, there was 1 injury for every 4,690 miles ridden; and 13 times better than the study performed by the Journal of Oral and Maxillofacial Surgery, which found that for e-scooter usage in Dallas, Texas, there was 1 injury for every 6,616 miles ridden. Wheels’ devices certainly should not be excluded from the Hawaii definition given that they have been shown to be the leader when it comes to safety.

Fourth, the fact that a Wheels device is seated also leads to significantly improved accessibility. Notably, unlike our competitors, half of Wheels’ riders are female and one-third are over the age of 35. Wheels reaches such a broad demographic specifically because a large number of consumers are neither physically able to stand on a traditional stand-up scooter nor pedal a bicycle. The increased comfort of riding on a seat, and the low step through that makes it easy to mount and dismount the Wheels device, therefore significantly expands the number of people who can benefit from micromobility options.





WHEELS

For all of these reasons, Wheels respectfully requests that the floorboard requirement be removed from the definition of an “electric foot scooter” (which should probably be renamed “electric scooter”). Making this change would harm no one, but it would promote innovation, it would allow for flexibility as the nascent micromobility industry develops and undoubtedly results in a number of different form factors, and it would significantly enhance safety and accessibility.

Thank you very much for your consideration.

Todd Maron, Chief Legal Officer
Wheels Labs, Inc.

WHEELS 

now
**Helmet ~~not~~
included**



