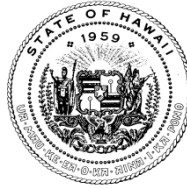


DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

LATE

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

February 7, 2020
1:15 P.M.
State Capitol, Room 225

S.B. 2995
RELATING TO ELECTRIC FOOT SCOOTERS

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

The Department of Transportation **supports** S.B. 2995 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 PLANNING
THE COUNTY OF KAUA'I

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

KA'ĀINA S. HULL
DIRECTOR

JODI A. HIGUCHI SAYEGUSA
DEPUTY DIRECTOR

Testimony of Lee Steinmetz
Transportation Planning Officer, Planning Department

Before the
Senate Committee on Transportation
and the
Senate Committee on Public Safety, Intergovernmental, and Military Affairs
February 7, 2020 at 1:15 PM
Conference Room 225

In consideration of
Senate Bill 2995
Relating to Electric Foot Scooters

To the Honorable Chairs Inouye and Nishihara, Vice Chairs Harimoto and Wakai, and members of the Committees:

The County of Kaua'i **strongly supports** SB 2995. Like it or not, electric foot scooters are already sold in Hawai'i, and we should move to reasonably regulate this new technology instead of ignoring it. The County appreciates the structure of HB 1955, which allows the flexibility for each county to regulate the operation of electric foot scooters as it deems best, with minimums established in this Bill. The use of electric foot scooters is an important part of Kaua'i's micromobility strategy to reduce congestion and greenhouse gas emissions while supporting affordable transportation choices and economic development. It is also important to the County and our entire State that electric foot scooters be regulated with safety in mind.

The language of SB 2995 is very similar to HB 1955, which was developed with the involvement of representatives from counties, Hawai'i Department of Transportation, the Hawai'i Bicycle League, and Bikeshare Hawaii. In addition, input was received from the e-scooter industry. The only difference between SB 2995 and HB 1955 is within the definition of an electric foot scooter. In HB 1955, the maximum weight is seventy-five pounds, while the maximum weight in SB 2995 is sixty pounds. In HB 1955, the maximum weight of seventy-five pounds was selected based on the input of the industry to address current and future technologies as well as safety.

Given the coalition that helped to draft HB 1955 and industry input, as well as minimizing the potential need to amend this Bill in the future, we respectfully recommend that SB 2995 be amended to reflect the seventy-five pound weight limit noted in HB 1955.

The County of Kaua'i greatly appreciates your consideration of this Bill.

www.kauai.gov

4444 Rice Street Suite A473 • Lihu'e, Hawai'i 96766 • (808) 241-4050 (b) • (808) 241-6699 (f)

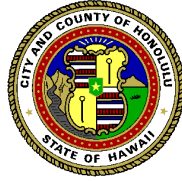
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DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • web: www.honolulu.gov

KIRK CALDWELL
MAYOR



WES FRYSZTACKI
DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

LATE

TESTIMONY TO THE SENATE
COMMITTEE ON TRANSPORTATION (TRS) &
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS (PSM)

FEBRUARY 7, 2020
1:15 PM

**IN SUPPORT OF
SB 2995 – RELATING TO ELECTRIC FOOT SCOOTERS**

Chair Inouye, Chair Nishihara, 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.

APPROVED & OK TO SEND
Wes Initial:



February 6, 2020

Testimony in Support of SB2995 Relating to Electric Foot Scooters

Aloha Chair Inouye, Vice Chair Harimoto, Senate Committee on Transportation; Chair Nishihara, Vice Chair Wakai, Committee on Public Safety, Intergovernmental, and Military Affairs, and esteemed members of both committees:

The Hawaii Bicycling League is in support of reducing greenhouse gases and reversing climate change through the use of lighter and more active means of transport. Walking and bicycling are two traditional means of active transportation. We want to be clear that scooters have their own definition, rights and responsibilities. Scooters are not bicycles.

Hawaii Bicycling League is a strong supporter of safety on our streets for all, especially those who walk and are otherwise vulnerable users.

We support SB2995 because it sets minimum standards for the use of scooters and requires each county to act specifically create an ordinance **before** scooters are allowed to be used. Counties can be more restrictive only. There is good reason for this. More experience and evidence is showing safety issues with scooters that warrant careful regulation.

This is enabling legislation and was not intended to be not self-executing. Even if this bill passes, **please make sure the language is clear that scooters are not allowable on our streets until counties enact ordinances.**

When this bill was being discussed by the state, counties, and transportation advocates during the interim, the weight limit for safety agreed to was 50 pounds. **Please do not allow the industry to advocate for more than 50 pounds.**

Ride and Drive Aloha,

Daniel Alexander
Co-Executive Director
Hawaii Bicycling League
808-275-6717, Daniel@hbl.org

Chad Taniguchi
Director Emeritus
Hawaii Bicycling League
808-255-8271, chad@hbl.org

SB-2995

Submitted on: 2/6/2020 1:08:00 PM

Testimony for TRS on 2/7/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
nima rahimi	Testifying for spin	Support	No

Comments:

2/6/2020

Senator Lorraine Inouye, Chair

Senator Breene Harimoto, Vice Chair

Committee on Transportation, State Senate

State Capitol

Honolulu, Hawaii

Dear Chair Inouye, Vice Chair Harimoto and members of the Senate Transportation Committee,

My name is Nima Rahimi, Senior Policy Counsel for Spin. Spin supports S.B. No. 2995.

Spin is a shared micromobility operator based in California, operating in over 60 markets across the United States. Our partnership-first approach is unique in the industry, because we work with local governments and receive permission before operating. We thank you for your diligent efforts in drafting necessary regulations for the nascent but fast-growing electric foot-scooter industry.

We respectfully suggest two amendments to the bills to allow for deployment of Spin's next generation and alternative mobility devices. First, we ask for a weight limit of

100 pounds or less. We are developing a new generation of scooter that we are building for safety and longevity. As a result, we anticipate the new model to be heavier than the current generation of scooters in the industry. The newer, heavier designs mean increased stability and improved agility in navigating a spectrum of terrains and weather conditions. Second, we have developed an adaptive scooter for our disability community that currently weighs 78 pounds and includes a seat. We ask for flexibility in the scooter definition to include a seat for adaptive purposes.

Thank you for the opportunity to testify and look forward to working with you and your Committee towards the passage of this legislation.

Sincerely,

Nima Rahimi, Spin

Senior Policy Counsel

(415) 515-3036

LATE

SB-2995

Submitted on: 2/7/2020 7:55:21 AM

Testimony for TRS on 2/7/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Hopkins	Testifying for Lime & Bird	Comments	No

Comments:

PROPOSED WRITTEN COMMENT

The industry supports the legislature's effort to make these green car alternatives legal in the State of Hawaii. As we know, Inrix data shows that congestion in Hawaiian urban areas and a high volume of short car trips mean that scooters could have a tangible impact on reducing car reliance while helping connect people better with transit.

This bill, in its effort to harness micromobility for the benefit of the people of Hawaii, has two components of concern.

The bill limits weights of scooters that could undermine safety improvements. Most states set the vehicle weight at 100 pounds. Lower limits could severely hamper the ability to deploy newer models in Hawaii. While 75 pounds would include most models, 60 pounds may not. This would mean that Hawaiian scooter users would not be able to have the newest, safest, or most adaptable e-scooters on the market.

This bill would also make Hawaii the only state in the country to set a state registration fee on shared scooters. First, such a fee would severely hamper scooter economics, reducing the viability of scooters as a car alternative in the state. We have already seen scooter companies withdraw from locations with excessive fees. Furthermore, because scooters reduce pollution and congestion, scooter use is something the state should encourage not tax in order to reduce the economic costs of severe congestion.

Second, such a per-scooter fee is extraordinarily difficult to collect because the degree of interchange of scooter parts and the cycling of scooter fleets. Typically, fees are levied at the city/county level based upon active fleet size, not individual vehicles,

because active fleet size is easily measured. Under this bill, fleet size would be tightly regulated at the county level. Fees for fleet size or usage should be managed at that level as well.

We therefore recommend that:

- state scooter registration fees apply only to personally owned scooters, and should be no higher than those assessed for bikes
- registration fees of shared scooter fleets be left to county control, since it is at the county level that fleet sizes will be authorized and managed.

We thank the legislature for taking up this bill. With these two critical changes, the bill has the potential to enable scooters and give people powerful alternatives to cars in this beautiful state.



535 Alabama St
San Francisco, CA 94110
hello@rideskip.com

LATE

February 7, 2020

TO: Senator Lorraine R. Inouye, Chair Transportation
Senator Breen Harimoto, Vice Chair Transportation
Senator Clarence K. Nishihira, Chair Public Safety, Intergovernmental, and Military Affairs
Senator Glenn Wakai, Vice Chair Public Safety, Intergovernmental, and Military Affairs

RE: **SB2995 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 Inouye, Vice Chair Harimoto, Chair Nishihara, Vice Chair Wakai 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 SB2995 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.

Sincerely,

The Skip Team



LATE

Email: communications@ulupono.com

SENATE COMMITTEES ON TRANSPORTATION AND PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

Friday, February 7, 2020 — 1:15 p.m. — Room 423

Ulupono Initiative supports SB 2995, Relating to Electric Foot Scooters.

Dear Chair Inouye, Chair Nishihara, and Members of the Committees:

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 SB 2995, 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

**TESTIMONY OF NAHELANI WEBSTER ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO S.B. 2995**

Hearing: Friday, February 7, 2020
Room: Conference Room 225
Time: 1:15 pm



My name is Nahelani Webster and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in opposition to S.B. 2995, Relating to Electric Foot Scooters.

While we appreciate the efforts to legislate on this important matter. However, we have some concerns we would like to highlight to the committee.

Electric scooters run at high speeds and require proper body weight distribution at each turn in order to stay upright. When these e-scooters are being used through the interface of a service app then it is the duty of the service app provider to warn the user of appropriate use. However, it is often the intent of the service app to place the user on the road as fast as possible without the additional safety clauses in place to warn new users of the hazards inherent in their actions, especially when operating on our roadways.

As the service app is providing a new transportation method that must coexist alongside our cars, trucks, and pedestrians, they should be responsible at minimum, to offer reasonable warning, instructions and training for the users.

Secondly, it is not within the purview of the county to regulate necessary insurance provisions. Matters of insurance typically lie within the state's authority to mandate requirements in order to provide necessary protections for our public. This bill would in effect delegate out this authority to the counties and leave an unknown gap of coverage leaving individuals uncertain about their protections.

Respectfully, asking the committee to review the insurance coverage more closely to ensure that individuals who may be injured while using an electric scooter, or by a person using an electric scooter, would still have some type of insurance to cover their medical expenses.

Injuries from a foot scooter can be as severe as paralysis or even death. Therefore, insurance coverage should be mandated for electrical scooter users.

Thank you for the opportunity to testify.