

STAND. COM. REP. NO. 1403

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 76
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.C.R. No. 76 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CITY AND COUNTY OF HONOLULU PROHIBIT ELECTRIC SCOOTERS, ELECTRIC BICYCLES, AND ELECTRIC TRIKES ON SIDEWALKS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the City and County of Honolulu to prohibit electric scooters, electric bicycles, and electric trikes on sidewalks.

Your Committees received testimony in support of this measure from eight individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Transportation Services for the City and County of Honolulu (DOTS).

Your Committees find that electric scooters, bikes, and trikes can weigh more than forty pounds and can be modified to reach speeds of eighteen miles per hour, which is nearly six times faster than the average walking speed. These devices can be a safety risk to pedestrians when operated on the same sidewalks.



However, your Committees have heard the concerns raised by the City and County of Honolulu, Department of Transportation Services regarding the legality of the requests made by this measure. Under existing state traffic code, electric scooters are classified as mopeds and are generally prohibited from operation regardless of location. As the operation of electric foot scooters are prohibited by state law, the counties do not have the authority to further regulate their use. Amendments to this measure are therefore necessary to address the DOTS' concerns.

Accordingly, your Committees have amended this measure by:

- (1) Removing the request that the City and County of Honolulu prohibit electric scooters, bicycles, and trikes on sidewalks and replacing it with a request to provide the necessary facilities for their safe operation that would be separate them from pedestrian traffic;
- (2) Amending its title in accordance with its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 76, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 76, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair




CHRIS LEE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

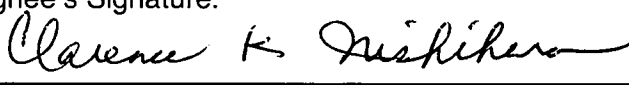
Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 76	TRS/PSM	3/25/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUE, Lorraine R. (VC)				✓
ENGLISH, J. Kalani	✓			
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top: 10px;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 76	TR5/PSM	3/25/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
ENGLISH, J. Kalani (VC)	/			
BAKER, Rosalyn H.	/			
RIVIERE, Gil				/
FEVELLA, Kurt	/			
TOTAL	4	-	-	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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