

JAN 19 2024

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§286- Electric rickshaws. (a) Every electric
5 rickshaw, as described in paragraph (3) of the definition of
6 "motorcycle" in section 286-2, operated in the State shall be
7 registered as a motor vehicle as provided in section 286-41.

8 (b) No person shall operate an electric rickshaw on a
9 public street, road, or highway in the State unless the person
10 possesses a valid type 3 driver's license pursuant to section
11 286-102(b) (3) and the electric rickshaw has been duly registered
12 pursuant to subsection (a).

13 (c) Any occupant of an electric rickshaw not equipped with
14 a front windshield shall wear eye protection.

15 (d) Each occupant of an electric rickshaw shall comply
16 with the seat belt requirements under section 291-11.6.



1 SECTION 2. Section 286-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "motorcycle" to read as
3 follows:

4 "Motorcycle" means:

5 (1) Every motor vehicle that has a handlebar and seating
6 that requires the operator to straddle or sit astride
7 on it and is designed to travel on no more than three
8 wheels in contact with the ground, but excludes a farm
9 tractor and a moped; [~~or~~]

10 (2) Every motor vehicle that has a steering wheel or
11 handlebar and seating that does not require the
12 operator to straddle or sit astride on it, is designed
13 to travel on three wheels in contact with the ground,
14 and is called an auticycle, which is certified by the
15 manufacturer to comply with all applicable Federal
16 Motor Vehicle Safety Standards as of the date of
17 manufacture[~~-~~]; or

18 (3) Every motor vehicle that has a handlebar as its
19 steering mechanism and seating that does not require
20 the operator to straddle or sit astride on the
21 seating; is designed to travel on three wheels in



1 contact with the ground; exclusively uses a motor
2 operated by electricity that produces zero greenhouse
3 gas emissions; is called an electric rickshaw, which
4 is certified by the manufacturer to comply with all
5 applicable Federal Motor Vehicle Safety Standards as
6 of the date of manufacture; is capable of reaching a
7 maximum speed of fifty-five miles per hour; has an
8 overall gross weight of 3,000 pounds or less; and is
9 equipped with seating for one driver and six
10 passengers."

11 SECTION 3. Section 286-102, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) A person operating the following category or
14 combination of categories of motor vehicles shall be examined as
15 provided in section 286-108 and duly licensed by the examiner of
16 drivers:

- 17 (1) Mopeds;
- 18 (2) Motorcycles, except for autocycles as described in
19 paragraph (2) of the definition of "motorcycle" in
20 section 286-2[7] and electric rickshaws as described



1 in paragraph (3) of the definition of "motorcycle" in
2 section 286-2, and motor scooters;

3 (3) Passenger cars of any gross vehicle weight rating,
4 buses designed to transport fifteen or fewer
5 occupants, trucks and vans having a gross vehicle
6 weight rating of eighteen thousand pounds or less,
7 [and] autocycles as described in paragraph (2) of the
8 definition of "motorcycle" in section 286-2[+], and
9 electric rickshaws as described in paragraph (3) of
10 the definition of "motorcycle" in section 286-2; and

11 (4) All of the motor vehicles in category (3) and any
12 vehicle that is not a commercial motor vehicle.

13 A school bus or van operator shall be properly licensed to
14 operate the category of vehicles that the operator operates as a
15 school bus or van and shall comply with the standards of the
16 department of transportation as provided by rules adopted
17 pursuant to section 286-181."

18 SECTION 4. Section 291C-1, Hawaii Revised Statutes, is
19 amended by amending the definition of "motorcycle" to read as
20 follows:



1 "Motorcycle" means [~~every motor vehicle having a seat or~~
2 ~~saddle for the use of the rider and designed to travel on not~~
3 ~~more than three wheels in contact with the ground but excludes a~~
4 ~~farm tractor and a moped.]:~~

5 (1) Every motor vehicle that has a handlebar and seating
6 that requires the operator to straddle or sit astride
7 on it and is designed to travel on no more than three
8 wheels in contact with the ground, but excludes a farm
9 tractor and a moped;

10 (2) Every motor vehicle that has a steering wheel or
11 handlebar and seating that does not require the
12 operator to straddle or sit astride on it, is designed
13 to travel on three wheels in contact with the ground,
14 and is called an autocycle, which is certified by the
15 manufacturer to comply with all applicable Federal
16 Motor Vehicle Safety Standards as of the date of
17 manufacture; or

18 (3) Every motor vehicle that has a handlebar as its
19 steering mechanism and seating that does not require
20 the operator to straddle or sit astride on the
21 seating; is designed to travel on three wheels in



1 contact with the ground; exclusively uses a motor
2 operated by electricity that produces zero greenhouse
3 gas emissions; is called an electric rickshaw, which
4 is certified by the manufacturer to comply with all
5 applicable Federal Motor Vehicle Safety Standards as
6 of the date of manufacture; is capable of reaching a
7 maximum speed of fifty-five miles per hour; has an
8 overall gross weight of 3,000 pounds or less; and is
9 equipped with seating for one driver and six
10 passengers."

11 SECTION 5. Section 291C-152, Hawaii Revised Statutes, is
12 amended by amending subsections (a) and (b) to read as follows:

13 "(a) A person operating a motorcycle, except for an
14 electric rickshaw as described in paragraph (3) of the
15 definition of "motorcycle" in section 291C-1, shall ride only
16 upon the permanent and regular seat attached thereto, and [~~such~~]
17 the operator shall not carry any other person nor shall any
18 other person ride on a motorcycle unless the motorcycle is
19 designed to carry more than one person, in which event a
20 passenger may ride upon the permanent and regular seat if
21 designed for two persons, or upon another seat firmly attached



1 to the motorcycle at the rear or side of the operator. Any
 2 person operating an electric rickshaw shall ride only upon the
 3 permanent and regular seat attached thereto, and the operator
 4 shall not carry any other person nor shall any other person ride
 5 on an electric rickshaw unless the passenger rides upon a seat
 6 firmly attached to the electric rickshaw at the rear of the
 7 operator.

8 (b) A person shall ride upon a motorcycle, except for an
 9 autocycle^[7] or electric rickshaw, only while sitting astride
 10 the seat, facing forward, with one leg on each side of the
 11 motorcycle. A person shall ride upon an autocycle only while
 12 sitting in the seat and facing forward. A person shall ride
 13 upon an electric rickshaw only while sitting in a seat and
 14 facing forward or backward."

15 SECTION 6. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 7. This Act shall take effect upon its approval.

18

INTRODUCED BY:




S.B. NO. 2739

Report Title:

Electric Rickshaw; Motorcycle; Transportation; Registration;
Operation

Description:

Establishes registration and driver's licensing requirements for
the operation of electric rickshaws.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

