

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

SECTION 1. Chapter 291C, Hawaii Revised Statutes, is amended by adding two new sections to part XII to be appropriately designated and to read as follows:

"§291C- Safe riding behavior; electric bicycles. (a)
All electric bicycles shall be operated with all wheels on the ground at all times with the operator facing forward and seated normally; provided that it shall not be a violation of this subsection if the wheels lose contact with the ground briefly due to the conditions of the road surface or other circumstances beyond the control of the operator.

(b) The following shall be prohibited while operating an electric bicycle:

(1) Operating an electric bicycle in an unsafe manner or engaging in exhibition riding, such as wheelies or stunts, on any public street, alley, or other public right of way; provided that this paragraph shall not apply to a person engaging in exhibition riding as



1 part of a parade, tournament, or other activity
2 permitted by a state or county government agency;

3 (2) Standing or kneeling on any seat, riding on the
4 handlebars, or engaging in any other non-standing or
5 non-standard riding position; and

6 (3) Engaging in any other maneuver that endangers the
7 operator, passenger, or the general public, or that
8 demonstrates reckless or negligent operation of the
9 device.

10 (c) The department of transportation and each county may
11 adopt rules pursuant to chapter 91 to define additional unsafe
12 or reckless behaviors consistent with this section.

13 **§291C- Operating a high-speed electric device.** (a) No
14 person shall operate a high-speed electric device on a public
15 roadway, a bicycle lane, travel paths, bicycle facilities, and
16 other designated areas, such as streets, highways, and
17 sidewalks.

18 (b) Violation of this section shall constitute a civil
19 traffic infraction pursuant to chapter 291D. In the case of a
20 violation under the age of eighteen, enforcement may be applied



1 against the parent or legal guardian or addressed through non-
2 monetary corrective action."

3 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
4 amended by adding a new section to part XIII to be appropriately
5 designated and to read as follows:

6 "§291C- Electric bicycle regulations; labels; signage;
7 public information. (a) Manufacturers and distributors of
8 electric bicycles shall apply a label that is permanently
9 affixed, in a prominent location, to each electric bicycle. The
10 label shall contain the:

11 (1) Classification number (class 1, 2, or 3);

12 (2) Top assisted speed; and

13 (3) Motor wattage.

14 No person shall alter, deface, or remove a label required
15 pursuant to this subsection.

16 (b) Distributors of electric bicycles shall place a sign
17 at or near the point of sale with wording substantially similar
18 to the following in all capital letters and printed in no less
19 than fourteen-point font:



1 "THE SALE AND OPERATION OF ELECTRIC BICYCLES IS REGULATED
2 UNDER CHAPTER 291C, HAWAII REVISED STATUTES. CERTAIN USES
3 AND RIDERS MAY BE RESTRICTED BY LAW."

4 (c) Distributors of electric bicycles shall provide to the
5 purchaser of an electric bicycle a booklet or pamphlet detailing
6 the associated state laws regulating the use of electric
7 bicycles in this part.

8 (d) Sellers and distributors, including online or third-
9 party platform sellers and distributors delivering or offering
10 for delivery to the State, of electric bicycles shall verbally
11 and in writing disclose whether the electric bicycle being sold
12 is legal for use on public roads, sidewalks, or bikes lanes.
13 Disclosures shall include registration, equipment, helmet, and
14 age requirements.

15 (e) The department of transportation, department of
16 commerce and consumer affairs, or a county may impose
17 administrative fines not to exceed \$500 per violation of
18 noncompliance with this section. The department of
19 transportation, department of commerce and consumer affairs, or
20 a county may inspect premises or investigate complains to ensure
21 compliance with this section.



1 (f) The department of transportation, department of
2 commerce and consumer affairs, and each county shall adopt rules
3 pursuant to chapter 91 to carry out the purpose of this
4 section."

5 SECTION 3. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding a new section to part XVI to be appropriately
7 designated and to read as follows:

8 **"§291C- Driving mopeds and electric motorcycles on**
9 **bicycle lanes and paths; prohibited.** (a) No person shall
10 operate a moped or electric motorcycle on a bicycle path,
11 bicycle lane, or any other path or roadway designated for
12 bicycle use.

13 (b) For purposes of this section, "electric motorcycle"
14 means a two- or three-wheeled vehicle equipped with an electric
15 motor capable of exceeding a speed of twenty-eight miles per
16 hour on level ground, and that may be legally operated on public
17 roadways under the same licensing, registration, and insurance
18 requirements applicable to motorcycles under state law."

19 SECTION 4. Section 249-1, Hawaii Revised Statutes, is
20 amended as follows:



1 1. By adding a new definition to be appropriately inserted
2 and to read:

3 "Electric bicycle" means a bicycle equipped with fully
4 operable pedals and an electric motor of no more than seven
5 hundred fifty watts."

6 2. By amending the definition of "bicycle" to read:

7 "Bicycle" means:

8 (1) A device propelled solely by human power upon which
9 any person may ride, having two tandem wheels

10 [~~sixteen~~] twelve inches in diameter or greater, and

11 including any device generally recognized as a bicycle

12 though equipped with two front or two rear wheels; or

13 (2) [~~A low-speed~~] An electric bicycle[~~, as defined under~~
14 ~~title 15 United States Code section 2085~~]."

15 SECTION 5. Section 249-14, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) [~~A low-speed~~] An electric bicycle[~~, as defined under~~
18 ~~title 15 United States Code section 2085~~,] shall be required to
19 be registered, and shall be subject to a permanent registration
20 fee of \$30, to be paid by the owners thereof to the director of
21 finance. No person shall operate an electric bicycle on a



1 public roadway, sidewalk, or bicycle facility unless it has been
2 properly registered pursuant to this subsection. Failure to
3 register may result in citation or temporary impoundment by a
4 law enforcement officer or designated official.

5 The department of transportation may adopt rules pursuant
6 to chapter 91 to coordinate statewide implementation, provide
7 uniform forms and guidance, and support public education and
8 outreach on the registration requirement for electric bicycles
9 pursuant to this subsection."

10 SECTION 6. Section 286-2, Hawaii Revised Statutes, is
11 amended to read as follows:

12 1. By amending the definition of "moped" to read:

13 ""Moped" means a device upon which a person may ride that
14 has:

15 (1) Two or three wheels in contact with the ground;

16 (2) A motor having a maximum power output capability
17 measured at the motor output shaft, in accordance with
18 SAE International standards, of two horsepower (one
19 thousand four hundred ninety-two watts) or less and,
20 if it is a combustion engine, a maximum piston or
21 rotor displacement of 3.05 cubic inches (fifty cubic



1 centimeters) and that will propel the moped,
2 unassisted, on a level surface at a maximum speed no
3 greater than thirty miles per hour; and
4 (3) A direct or automatic power drive system that requires
5 no clutch or gear shift operation by the moped driver
6 after the drive system is engaged with the power unit.
7 "Moped" does not include an electric foot scooter~~[or]~~ or electric
8 micro-mobility device, as defined in section 291C-1."

9 2. By deleting the definition of "bicycle".

10 ~~["Bicycle" means:~~

11 ~~(1) A device propelled solely by human power upon which~~
12 ~~any person may ride, having two tandem wheels sixteen~~
13 ~~inches in diameter or greater, and including any~~
14 ~~device generally recognized as a bicycle though~~
15 ~~equipped with two front or two rear wheels; or~~
16 ~~(2) A low-speed electric bicycle, as defined under title~~
17 ~~15 United States Code section 2085."]~~

18 SECTION 7. Section 291-31.5, Hawaii Revised Statutes, is
19 amended by amending its title and subsection (a) to read as
20 follows:



1 "§291-31.5 Blue lights prohibited for motor vehicles,
2 motorcycles, motor scooters, bicycles, electric foot scooters,
3 electric micro-mobility devices, and mopeds. (a) No person
4 shall knowingly operate, affix or cause to be affixed, display,
5 or possess any lamp, reflector, or illumination device that
6 appears to be the color blue, or colors blue and red, upon any
7 motor vehicle, motorcycle, motor scooter, bicycle, electric foot
8 scooter, electric micro-mobility device, as defined in section
9 291C-1, or moped, except for:

10 (1) County law enforcement vehicles authorized and
11 approved by the chief of police of the county in which
12 the vehicle is operated;

13 (2) Department of law enforcement vehicles with blue and
14 red lamps, reflectors, or illumination devices
15 authorized and approved by the director of law
16 enforcement; or

17 (3) Department of land and natural resources division of
18 conservation and resources enforcement vehicles with
19 blue and red lamps, reflectors, or illumination
20 devices authorized and approved by the chairperson of
21 the board of land and natural resources.



1 This prohibition shall not apply to factory-installed
2 instrument illumination."

3 SECTION 8. Section 291C-1, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By adding six new definitions to be appropriately
6 inserted and to read:

7 "Class 1 electric bicycle" means an electric bicycle
8 equipped with a motor that provides assistance only when the
9 rider is pedaling, and that ceases to provide assistance when
10 the bicycle reaches the speed of twenty miles per hour.

11 "Class 2 electric bicycle" means an electric bicycle
12 equipped with a motor that may be used exclusively to propel the
13 bicycle and that is not capable of providing assistance when the
14 bicycle reaches the speed of twenty miles per hour.

15 "Class 3 electric bicycle" means an electric bicycle
16 equipped with a motor that provides assistance only when the
17 rider is pedaling and that ceases to provide assistance when the
18 bicycle reaches the speed of twenty-eight miles per hour and
19 equipped with a speedometer.

20 "Electric bicycle" means a bicycle equipped with fully
21 operable pedals and an electric motor of no more than seven



1 hundred fifty watts. "Electric bicycle" does not include a
2 high-speed electric device.

3 "Electric micro-mobility device" means a device weighing no
4 more than seventy-five pounds that is fully or partially
5 motorized and used for personal transportation, such as one-
6 wheels and electric skateboards. "Electric micro-mobility
7 device" does not include electric bicycles or electric foot
8 scooters.

9 "High-speed electric device" means any device with a motor
10 exceeding seven hundred fifty watts and capable of speeds over
11 twenty-eight miles per hour. "High-speed electric device" does
12 not include a moped or motorcycle that can legally be operated
13 on a road or street."

14 2. By amending the definition of "bicycle" to read:

15 ""Bicycle" means:

16 (1) A vehicle propelled solely by human power upon which
17 any person may ride, having two tandem wheels, and
18 including any vehicle generally recognized as a
19 bicycle though equipped with two front or two rear
20 wheels except a toy bicycle; or



(2) ~~[A low-speed]~~ An electric bicycle~~[, as defined under title 15 United States Code section 2085]~~."

SECTION 9. Section 291C-123, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) No person shall drive any vehicle other than a bicycle, electric foot scooter, electric micro-mobility device, or moped upon a bicycle lane or bicycle path, except upon a permanent or authorized temporary driveway, or park any vehicle upon a bicycle lane or bicycle path; provided that any vehicle may be driven or parked in a bicycle lane or bicycle path as applicable if~~[÷]~~ it is:

(1) ~~[It is in]~~ In the process of executing a legal turn, lane change, or parking maneuver;

(2) ~~[It is an]~~ An authorized emergency vehicle performing the functions under section 291C-26;

(3) ~~[It is an]~~ An official federal, state, or county vehicle in the performance of its actual duty;

(4) ~~[It is a]~~ A stalled or broken vehicle;

(5) ~~[It is necessary]~~ Necessary to assist a stalled or broken vehicle;



(6) ~~[It is necessary]~~ Necessary to yield to an authorized emergency vehicle pursuant to section 291C-65; or

(7) ~~[It is otherwise]~~ Otherwise provided by law."

SECTION 10. Section 291C-139, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]291C-139[§]~~ Electric foot scooters[-]; electric micro-mobility devices. (a) This section shall apply whenever an electric foot scooter or electric micro-mobility device is operated upon any highway, street, roadway, or other designated public area set aside for the use of electric foot scooters~~[-]~~ or electric micro-mobility device.

(b) Every person operating an electric foot scooter or electric micro-mobility devices upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a vehicle under this chapter, except as to provisions of this:

(1) Section to the contrary; and

(2) Chapter that, by their nature, can have no application.



1 (c) The counties by ordinance shall regulate operations of
2 electric foot scooters and electric micro-mobility devices with
3 regard to, but not limited to, the following:

4 (1) Operations in or upon roadways, bikeways, bicycle
5 paths, and sidewalks;

6 (2) Storage and docking locations;

7 (3) Restrictions on maximum speed;

8 (4) Safety considerations; and

9 (5) Insurance requirements;

10 provided that no authority adopted in accordance with this
11 subsection shall be less restrictive than the requirements set
12 forth in this section.

13 (d) No person under fifteen years of age shall operate an
14 electric foot scooter or electric micro-mobility device on a
15 highway, street, roadway, or any other public property in the
16 State. No person under [~~sixteen~~] eighteen years of age shall
17 operate an electric foot scooter or electric micro-mobility
18 device unless the person wears a safety helmet securely fastened
19 with a chin strap. The safety helmet shall meet the
20 specifications of and requirements for a bicycle helmet as set
21 out in section 291C-150.



1 (e) No person shall operate an electric foot scooter or
2 electric micro-mobility device that is carrying any other
3 person, nor shall any person other than the operator ride upon
4 an electric foot scooter[-] or electric micro-mobility device.

5 (f) No person operating an electric foot scooter or
6 electric micro-mobility device shall carry any package, bundle,
7 or article that prevents the use of both hands in the control
8 and operation of the electric foot scooter[-] or electric micro-
9 mobility device.

10 (g) Any electric foot scooter or electric micro-mobility
11 device used from thirty minutes after sunset until thirty
12 minutes before sunrise shall meet the specifications of and
13 requirements for lamps and other equipment on bicycles as set
14 out in section 291C-147; provided that in lieu of the
15 requirement of section 291C-147(b), every electric foot scooter
16 or electric micro-mobility device shall be equipped with a
17 lighted lamp that is visible from the rear.

18 (h) No person shall operate an electric foot scooter or
19 electric micro-mobility device at a speed other than is
20 reasonable and prudent and having regard to the actual and
21 potential hazards and conditions then existing; provided that no



1 person shall operate an electric foot scooter or electric micro-
2 mobility device at a speed greater than fifteen miles per hour.

3 (i) Any person who operates an electric foot scooter or
4 electric micro-mobility device recklessly in disregard of the
5 safety of persons or property shall be assessed penalties as set
6 forth in section 291C-161(b).

7 (j) A person or entity that provides electric foot
8 scooters or electric micro-mobility devices for hire shall not
9 rent or lease an electric foot scooter or electric micro-
10 mobility device to any person unless:

11 (1) Each renter or lessee that is under the age of
12 ~~[sixteen]~~ eighteen wears a safety helmet, as required
13 by subsection (d), while operating the electric foot
14 scooter~~[+]~~ or electric micro-mobility device; and

15 (2) Each renter or lessee is provided with a copy of the
16 electric foot scooter and electric micro-mobility
17 device ordinances or rules that have been adopted by
18 the applicable county.

19 (k) Electric foot scooters and electric micro-mobility
20 device shall only be stored or docked at specific locations that
21 shall be authorized by the counties."



SECTION 11. Section 291C-143.5, Hawaii Revised Statutes, is amended to read as follows:

"[~~§~~291C-143.5~~] Low-speed electric bicycles;~~ Electric bicycle; operator age. (a) No person under the age of [~~fifteen~~] sixteen shall operate a [~~low-speed~~] class 3 electric bicycle [~~as defined under title 15 United States Code section 2085~~].

(b) A person under the age of fourteen may operate a class 2 electric bicycle only under the direct supervision of a parent, guardian, or a person eighteen years of age or older.

(c) For purposes of this section, "direct supervision" means a supervising parent, guardian, or person eighteen years of age or older is physically present and in reasonable proximity to observe and control the operation of the electric bicycle."

SECTION 12. Section 291C-145, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

"(g) No person shall ride a bicycle equipped with a motor or class 3 electric bicycle on any sidewalk[-]; provided that a person may ride a class 1 electric bicycle or class 2 electric bicycle on a sidewalk at a speed not exceeding ten miles per



1 hour, except in business districts or where prohibited by county
2 ordinance. The counties may, by ordinance, post bicycle lanes
3 and bicycle paths to prevent persons riding a bicycle equipped
4 with a motor from using them."

5 SECTION 13. Section 291C-150, Hawaii Revised Statutes, is
6 amended by amending subsections (a) and (b) to read as follows:

7 "(a) No person under [~~sixteen~~] eighteen years of age shall
8 operate a bicycle upon a street, a bikeway, or any other public
9 property unless that person is wearing a properly fitted and
10 fastened bicycle helmet that has been tested by a nationally
11 recognized agency such as the National Highway Traffic Safety
12 Administration, [~~the~~] National Safety Council, or [~~the~~]
13 Children's Safety Network, and is designed to fit the user and
14 protect against head trauma. This requirement also applies to a
15 person who rides upon a bicycle while in a restraining seat that
16 is attached to the bicycle or who rides in a trailer towed by
17 the bicycle.

18 (b) A person who provides bicycles for hire shall not rent
19 a bicycle to any person unless every person who is under age
20 [~~sixteen~~] eighteen is wearing a bicycle helmet, as required in
21 subsection (a), while operating the rented bicycle, occupying a



1 restraining seat that is attached to the rented bicycle, or
2 riding in a trailer towed by the rented bicycle."

3 SECTION 14 Section 291C-197, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§291C-197 Driving mopeds on bicycle lanes and paths.~~

6 ~~(a) Wherever bicycle lanes are provided on the roadway, moped~~
7 ~~drivers shall use such bicycle lanes.~~

8 ~~(b) The director of transportation by rule and [the]~~
9 ~~counties by ordinance may, with respect to bicycle paths under~~
10 ~~their respective jurisdictions, restrict or prohibit the use of~~
11 ~~[such] bicycle paths by mopeds. Signs clearly visible to an~~
12 ~~ordinarily observant person indicating the restriction or~~
13 ~~prohibition shall be placed along bicycle paths so designated~~
14 ~~and every moped driver shall obey the directions thereof.~~

15 ~~(c) This section shall not apply to a three-wheeled~~
16 ~~moped."]~~

17 SECTION 15. Sections 249-1, 249-9.2, 286-2, 286-81, 286-
18 81.5, 286-102, 286-102.6, 286-108, 286-109, 286-110, 291-11,
19 291-22, 291-25, 291-31, 291-31.5, 291C-1, 291C-206, 431:10C-103,
20 431:10C-304, 431:10C-305, 431:10C-408, 431:10G-101, 431:10G-102,
21 431:10G-103, 431:10G-104, 431:10G-105, 431:10G-106, 431:10G-107,



1 431:10G-108, 431:10G-201, 431:10G-202, 431:10G-206, 431:10G-301,
2 437-7, 437B-1, 481I-2, and 604A-2, Hawaii Revised Statutes, are
3 amended by substituting the word "motor-driven cycle", or
4 similar term, wherever the word "motor scooter", or similar
5 term, appears, as the context requires.

6 SECTION 16. Nothing in this Act shall be construed to
7 prohibit the use of mobility devices, as defined in the
8 Americans with Disabilities Act.

9 SECTION 17. This Act does not affect rights and duties
10 that matured, penalties that were incurred, and proceedings that
11 were begun before its effective date.

12 SECTION 18. If any provision of this Act, or the
13 application thereof to any person or circumstance, is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act that can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 19. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 20. This Act shall take effect on upon its
2 approval; provided that section 2 shall take effect on December
3 31, 2025.



Report Title:

Electric Bicycles; Electric Micro Mobility Devices; Regulation;
Electric Mobility Devices; High-Speed Electric Device; Electric
Motorcycles

Description:

Establishes safe riding behaviors for electric bicycles. Prohibits the operation of high-speed electric devices in certain locations. Establishes labeling and signage requirements for electric bicycles. Prohibits the operation of a moped or electric motorcycle in certain locations. Amends the definition of "bicycle" for purposes of county vehicular taxes. Defines "electric bicycle" in place of "low-speed electric bicycle". Defines "electric micro-mobility device" and requires the same regulations as electric foot scooters to apply to electric micro-mobility devices. Prohibits a person under the age of sixteen from operating a class 3 electric bicycle. Authorizes a person under the age of fourteen to operate class 2 electric bicycles under supervision. Prohibits a person from riding a class 3 electric bicycle on a sidewalk. Authorizes a person to ride a class 1 or class 2 electric bicycle on a sidewalk under certain circumstances. Prohibits a person from operating a bicycle or electric foot scooter under the age of eighteen without a helmet. Repeals the requirement that moped drivers use bicycle lanes. Substitutes the word "motor-driven cycle" with the word "motor scooter". (CD1)

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

