
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

PART I

SECTION 1. Section 196-2, Hawaii Revised Statutes, is amended by adding four new definitions to be appropriately inserted and to read as follows:

"Adaptive electric bicycle" means any bicycle that is modified to fit the needs of an individual rider who is unable to use a standard electric bicycle.

"Electric bicycle" means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, an electric motor not to exceed seven hundred and fifty watts, and that meets the requirements of one of the following three classes:

- (1) Class 1 electric bicycle, which is an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;



1 (2) Class 2 electric bicycle, which is an electric bicycle
2 equipped with a motor that may be used exclusively to
3 propel the bicycle, and that is not capable of
4 providing assistance when the bicycle reaches the
5 speed of twenty miles per hour; or

6 (3) Class 3 electric bicycle, which is an electric bicycle
7 equipped with a motor that provides assistance only
8 when the rider is pedaling, and that ceases to provide
9 assistance when the bicycle reaches the speed of
10 twenty-eight miles per hour.

11 "Electric micro-mobility device" means any ground
12 transportation device, such as a standing scooter or similar
13 device, that is powered either exclusively by electricity from a
14 battery charged from an external source, or by electricity from
15 a battery charged from an external source in addition to human
16 power, which is designed to transport a single person, with a
17 range not less than fifteen miles and maximum speed of
18 twenty-eight miles per hour, on which a person may reasonably
19 commute to and from regular destinations.

20 "Electric motorcycle" means any electric vehicle having a
21 seat or saddle for rider use, designated to travel on not more



1 than three wheels in contact with the ground, with a motor
2 capable of speeds exceeding twenty-eight miles per hour or a
3 motor power of seven hundred fifty-one watts or greater,
4 excluding mopeds and motor scooters."

5 SECTION 2. Section 291C-1, Hawaii Revised Statutes, is
6 amended by adding two new definitions to be appropriately
7 inserted and to read as follows:

8 "Electric bicycle" shall have the same meaning as defined
9 in section 196-2.

10 "Electric motorcycle" shall have the same meaning as
11 defined in section 196-2."

12 PART II

13 SECTION 3. Section 291C-139, Hawaii Revised Statutes, is
14 amended by amending subsection (d) to read as follows:

15 "(d) No person under fifteen years of age shall operate an
16 electric foot scooter on a highway, street, roadway, or any
17 other public property in the State. No person under [~~sixteen~~]
18 eighteen years of age shall operate an electric foot scooter
19 unless the person wears a safety helmet securely fastened with a
20 chin strap. The safety helmet shall meet the specifications of



1 and requirements for a bicycle helmet as set out in section
2 291C-150."

3 SECTION 4. Section 291C-143.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 " ~~[§291C-143.5] — Low-speed electric~~ Electric bicycles;
6 operator age[-]; operation. (a) No person under the age of
7 fifteen shall operate ~~[a low-speed]~~ a class 3 electric bicycle
8 as defined ~~[under title 15 United States Code section 2085.]~~ in
9 section 196-2.

10 (b) All electric bicycles shall be operated with all
11 wheels on the ground at all times, with the operator facing
12 forward and seated with one leg on each side of the seat;
13 provided that it shall not be a violation of this subsection if
14 the wheels lose contact with the ground briefly due to the
15 condition of the road surface or other circumstances beyond the
16 control of the operator.

17 (c) It shall be unlawful for any person to operate an
18 electric bicycle in an unsafe manner or to engage in exhibition
19 driving on any public street, alley, or other public right of
20 way; provided that this subsection shall not apply to a person



1 engaging in exhibition riding as part of a parade, tournament,
2 or other activity permitted by the county.

3 (d) The operator of an electric bicycle shall not:

4 (1) Stand or kneel on the seat, ride on the handlebars, or
5 engage in any other non-standard riding position;

6 (2) Perform a maneuver where one or more wheels
7 intentionally lift from the ground; or

8 (3) Engage in any other maneuver that endangers the
9 operator or any person."

10 SECTION 5. Section 291C-145, Hawaii Revised Statutes, is
11 amended by amending subsection (g) to read as follows:

12 "(g) ~~[No]~~ A person may ride an electric bicycle on a
13 public sidewalk; provided that no person shall ride [a] an
14 electric bicycle [equipped with a motor] on any sidewalk[-]
15 located within a business district; provided further that the
16 electric bicycle shall not exceed a speed of ten miles per hour;
17 provided further that the rider shall use safe yielding
18 behavior. The counties may, by ordinance, post bicycle lanes
19 and bicycle paths to prevent persons riding a bicycle equipped
20 with a motor from using them."



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

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

14 (b) A person who provides bicycles for hire shall not rent
15 a bicycle to any person unless every person who is under age
16 [~~sixteen~~] eighteen is wearing a bicycle helmet, as required in
17 subsection (a), while operating the rented bicycle, occupying a
18 restraining seat that is attached to the rented bicycle, or
19 riding in a trailer towed by the rented bicycle."

20 SECTION 7. Section 291C-197, Hawaii Revised Statutes, is
21 amended to read as follows:



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"§291C-197 Driving mopeds and electric motorcycles on bicycle lanes and paths[-]; prohibited. [~~(a) Wherever bicycle lanes are provided on the roadway, moped drivers shall use such bicycle lanes.~~]

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

~~(c) This section shall not apply to a three-wheeled moped.]~~ No person shall operate a moped or electric motorcycle on a bicycle path, bicycle lane, or any other path or roadway designated for bicycle use."

PART III

SECTION 8. Section 249-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

""Motor-driven cycle" means:



1 (1) Every motor vehicle that has a handlebar and seating
2 that requires the operator to straddle or sit astride
3 on it and is designed to travel on no more than three
4 wheels in contact with the ground, but excludes a farm
5 tractor; or
6 (2) Every motor vehicle that has a steering wheel and
7 seating that does not require the operator to straddle
8 or sit astride on it, and is designed to travel on
9 three wheels in contact with the ground, called an
10 autocycle, which is certified by the manufacturer to
11 comply with all applicable Federal Motor Vehicle
12 Safety Standards as of the date of manufacture,
13 with a motor that produces no more than five horsepower, but
14 excludes a moped."

15 SECTION 9. Section 291-1, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:

18 "Motor-driven cycle" means:

19 (1) Every motor vehicle that has a handlebar and seating
20 that requires the operator to straddle or sit astride
21 on it and is designed to travel on no more than three



1 wheels in contact with the ground, but excludes a farm
2 tractor; or
3 (2) Every motor vehicle that has a steering wheel and
4 seating that does not require the operator to straddle
5 or sit astride on it, and is designed to travel on
6 three wheels in contact with the ground, called an
7 autocycle, which is certified by the manufacturer to
8 comply with all applicable Federal Motor Vehicle
9 Safety Standards as of the date of manufacture,
10 with a motor that produces no more than five horsepower, but
11 excludes a moped."

12 SECTION 10. Section 291-21.3, Hawaii Revised Statutes, is
13 amended by adding a new definition to be appropriately inserted
14 and to read as follows:

15 "Motor-driven cycle" means:

16 (1) Every motor vehicle that has a handlebar and seating
17 that requires the operator to straddle or sit astride
18 on it and is designed to travel on no more than three
19 wheels in contact with the ground, but excludes a farm
20 tractor; or



(2) Every motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride on it, and is designed to travel on three wheels in contact with the ground, called an autocycle, which is certified by the manufacturer to comply with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacture, with a motor that produces no more than five horsepower, but excludes a moped."

PART IV

SECTION 11. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to part XII to be appropriately designated and to read as follows:

"§291C- Electric motorcycles and motor-driven cycles;
operator age. It shall be unlawful for an individual under the
age of eighteen to operate an electric motorcycle or
motor-driven cycle."

PART V

SECTION 12. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.



1 SECTION 13. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 14. This Act shall take effect on January 1, 2050.



Report Title:

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

Description:

Prohibits individuals under 15 years of age from riding a class 3 electric bicycle. Amends the age requirement for helmet use from 16 to 18 years of age. Allows use of electric bicycles on public sidewalks, subject to certain conditions. Establishes rules for electric bicycle operation. Prohibits the use of mopeds and electric motorcycles on any path or road designated for bicycle use. Establishes definitions. Prohibits individuals under 18 years of age from operating an electric motorcycle or motor-driven cycle. Effective 1/1/2050. (SD2)

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

