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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

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

4           "§291C-        Safe riding behavior; electric bicycles. (a)  
5 All electric bicycles shall be operated only with all wheels on  
6 the ground at all times, facing forward, and with the operator  
7 seated with one leg on each side of the seat; provided that it  
8 is not a violation of this subsection if the wheels lose contact  
9 with the ground briefly due to the conditions of the road  
10 surface or other circumstances beyond the control of the  
11 operator.

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

14           (1) Operating an electric bicycle in an unsafe manner or  
15 engaging in exhibition driving on any public street,  
16 alley, or other public right of way; provided that  
17 this paragraph shall not apply to a person engaging in



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

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

7 (3) Engaging in any other maneuver that endangers the  
8 operator or any person.

9 **§291C- Operating a high-speed electric device.** No  
10 person shall operate a high-speed electric device on a public  
11 roadway, bicycle lane, travel paths, and other designated areas,  
12 such as streets, highways, and sidewalks."

13 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is  
14 amended by adding two new sections to part XIII to be  
15 appropriately designated and to read as follows:

16 **"§291C- Electric bicycles; labeling.** Manufacturers and  
17 distributors of electric bicycles shall apply a label that is  
18 permanently affixed, in a prominent location, to each electric  
19 bicycle. The label shall contain the classification number, top  
20 assisted speed, and motor wattage of the electric bicycle.



1        §291C-        Electric bicycle regulations; signage; public  
 2 information. (a) Distributors of electronic bicycles shall  
 3 place a sign at or near the point of sale with wording  
 4 substantially similar to the following in all capital letters  
 5 and printed in not less than fourteen-point font:

6        "THE SALE AND OPERATION OF ELECTRIC BICYCLES ARE SUBJECT TO  
 7 CHAPTER 291C, HAWAII REVISED STATUTES, INCLUDING SECTION  
 8 291C-143.5, HAWAII REVISED STATUTES, WHICH PROHIBITS THE  
 9 OPERATION OF AN ELECTRIC BICYCLE BY A PERSON UNDER THE AGE  
 10 OF SIXTEEN."

11        (b) Distributors of electronic bicycles shall provide to  
 12 the purchaser of an electronic bicycle a booklet or pamphlet  
 13 detailing the associated state laws regulating the use of  
 14 electric bicycles in this part."

15        SECTION 3. Section 249-1, Hawaii Revised Statutes, is  
 16 amended as follows:

17        1. By adding a four definitions to be appropriately  
 18 inserted and to read:

19        "Class 1 electric bicycle" means an electric bicycle  
 20 equipped with a motor that provides assistance only when the



1 rider is pedaling, and that ceases to provide assistance when  
2 the bicycle reaches the speed of twenty miles per hour.

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

7 "Class 3 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 the  
10 bicycle reaches the speed of twenty-eight miles per hour and  
11 equipped with a speedometer.

12 "Electric bicycle" means a bicycle equipped with fully  
13 operable pedals and an electric motor of no more than seven  
14 hundred fifty watts."

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

16 ""Bicycle" means:

17 (1) A device propelled solely by human power upon which  
18 any person may ride, having two tandem wheels sixteen  
19 inches in diameter or greater, and including any  
20 device generally recognized as a bicycle though  
21 equipped with two front or two rear wheels; or





1 bicycle and that is not capable of providing assistance when the  
2 bicycle reaches the speed of twenty miles per hour.

3 "Class 3 electric bicycle" means an electric bicycle  
4 equipped with a motor that provides assistance only when the  
5 rider is pedaling and that ceases to provide assistance when the  
6 bicycle reaches the speed of twenty-eight miles per hour and  
7 equipped with a speedometer.

8 "Electric bicycle" means a bicycle equipped with fully  
9 operable pedals and an electric motor of no more than seven  
10 hundred fifty watts. "Electric bicycle" does not include a  
11 high-speed electric device.

12 "Electric micro mobility device" means a device weighing no  
13 more than seventy-five pounds that is fully or partially  
14 motorized and used for personal transportation, such as one-  
15 wheels and electric skateboards. "Electric micro mobility  
16 device" does not include electric bicycles or electric foot  
17 scooters.

18 "High-speed electric device" means a two-wheeled electric  
19 device with a motor exceeding seven hundred fifty watts and  
20 capable of speeds over twenty-eight miles per hour. "High-speed



1 electric device" does not include a moped or motorcycle that can  
2 legally be operated on a road or street, as provided by law."

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

4 ""Bicycle" means:

5 (1) A vehicle propelled solely by human power upon which  
6 any person may ride, having two tandem wheels, and  
7 including any vehicle generally recognized as a  
8 bicycle though equipped with two front or two rear  
9 wheels except a toy bicycle; or

10 [~~(2) A low-speed electric bicycle, as defined under title~~  
11 ~~15 United States Code section 2085.]~~

12 (2) An electric bicycle."

13 SECTION 6. Section 291C-123, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

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



- 1 (1) [~~It is in~~] In the process of executing a legal turn,  
2 lane change, or parking maneuver;
- 3 (2) [~~It is an~~] An authorized emergency vehicle performing  
4 the functions under section 291C-26;
- 5 (3) [~~It is an~~] An official federal, state, or county  
6 vehicle in the performance of its actual duty;
- 7 (4) [~~It is a~~] A stalled or broken vehicle;
- 8 (5) [~~It is necessary~~] Necessary to assist a stalled or  
9 broken vehicle;
- 10 (6) [~~It is necessary~~] Necessary to yield to an authorized  
11 emergency vehicle pursuant to section 291C-65; or
- 12 (7) It is otherwise provided by law."

13 SECTION 7. Section 291C-139, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "~~[§]291C-139[§]~~ **Electric foot scooters[-]; electric micro**

16 **mobility devices.** (a) This section shall apply whenever an  
17 electric foot scooter or electric micro mobility device is  
18 operated upon any highway, street, roadway, or other designated  
19 public area set aside for the use of electric foot scooters.

20 (b) Every person operating an electric foot scooter or  
21 electric micro mobility devices upon a roadway shall be granted



1 all of the rights and shall be subject to all of the duties  
2 applicable to a driver of a vehicle under this chapter, except  
3 as to provisions of this:

4 (1) Section to the contrary; and

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

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

10 (1) Operations in or upon roadways, bikeways, bicycle  
11 paths, and sidewalks;

12 (2) Storage and docking locations;

13 (3) Restrictions on maximum speed;

14 (4) Safety considerations; and

15 (5) Insurance requirements;

16 provided that no authority adopted in accordance with this  
17 subsection shall be less restrictive than the requirements set  
18 forth in this section.

19 (d) No person under fifteen years of age shall operate an  
20 electric foot scooter or electric micro mobility device on a  
21 highway, street, roadway, or any other public property in the



1 State. No person under [~~sixteen~~] eighteen years of age shall  
2 operate an electric foot scooter or electric micro mobility  
3 device unless the person wears a safety helmet securely fastened  
4 with a chin strap. The safety helmet shall meet the  
5 specifications of and requirements for a bicycle helmet as set  
6 out in section 291C-150.

7 (e) No person shall operate an electric foot scooter or  
8 electric micro mobility device that is carrying any other  
9 person, nor shall any person other than the operator ride upon  
10 an electric foot scooter.

11 (f) No person operating an electric foot scooter or  
12 electric micro mobility device shall carry any package, bundle,  
13 or article that prevents the use of both hands in the control  
14 and operation of the electric foot scooter.

15 (g) Any electric foot scooter or electric micro mobility  
16 device used from thirty minutes after sunset until thirty  
17 minutes before sunrise shall meet the specifications of and  
18 requirements for lamps and other equipment on bicycles as set  
19 out in section 291C-147; provided that in lieu of the  
20 requirement of section 291C-147(b), every electric foot scooter



1 or electric micro mobility device shall be equipped with a  
2 lighted lamp that is visible from the rear.

3 (h) No person shall operate an electric foot scooter or  
4 electric micro mobility device at a speed other than is  
5 reasonable and prudent and having regard to the actual and  
6 potential hazards and conditions then existing; provided that no  
7 person shall operate an electric foot scooter or electric micro  
8 mobility device at a speed greater than fifteen miles per hour.

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

13 (j) A person or entity that provides electric foot  
14 scooters or electric micro mobility devices for hire shall not  
15 rent or lease an electric foot scooter or electric micro  
16 mobility device to any person unless:

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



1           (2) Each renter or lessee is provided with a copy of the  
2           electric foot scooter and electric micro mobility  
3           device ordinances or rules that have been adopted by  
4           the applicable county.

5           (k) Electric foot scooters and electric micro mobility  
6           device shall only be stored or docked at specific locations that  
7           shall be authorized by the counties."

8           SECTION 8. Section 291C-143.5, Hawaii Revised Statutes, is  
9           amended to read as follows:

10           "~~{}~~\$291C-143.5~~{}— Low-speed electric bicyeles;~~ Electric  
11           bicycle operator age. No person under the age of fifteen shall  
12           operate ~~[a low-speed]~~ a class 3 electric bicycle ~~[as defined~~  
13           ~~under title 15 United States Code section 2085]~~. Class 1  
14           electric bicycles and class 2 electric bicycles may be operated  
15           by any individual, regardless of age."

16           SECTION 9. Section 291C-145, Hawaii Revised Statutes, is  
17           amended by amending subsection (g) to read as follows:

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



1 hour. The counties may, by ordinance, post bicycle lanes and  
2 bicycle paths to prevent persons riding a bicycle equipped with  
3 a motor from using them."

4 SECTION 10. Section 291C-150, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

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

17 SECTION 11. Section 291C-197, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "~~§291C-197 [Driving mopeds on bicyele]~~ Restrictions for  
20 bicycle lanes and paths. [~~(a) Wherever bicyele lanes are~~



1 ~~provided on the roadway, moped drivers shall use such bicycle~~  
2 ~~lanes.~~

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

10 ~~[(e)]~~ (b) This section shall not apply to a three-wheeled  
11 moped."

12 SECTION 12. Section 286-2, Hawaii Revised Statutes, is  
13 amended by deleting the definition of "bicycle".

14 ~~[""Bicycle" means:~~

15 ~~(1) A device propelled solely by human power upon which~~  
16 ~~any person may ride, having two tandem wheels sixteen~~  
17 ~~inches in diameter or greater, and including any~~  
18 ~~device generally recognized as a bicycle though~~  
19 ~~equipped with two front or two rear wheels; or~~

20 ~~(2) A low-speed electric bicycle, as defined under title~~  
21 ~~15 United States Code section 2085." ]~~



1 SECTION 13. Sections 249-1, 249-9.2, 286-2, 286-81, 286-  
2 81.5, 286-102, 286-102.6, 286-108, 286-109, 286-110, 291-11,  
3 291-22, 291-25, 291-31, 291-31.5, 291C-1, 291C-206, 431:10C-103,  
4 431:10C-304, 431:10C-305, 431:10C-408, 431:10G-101, 431:10G-102,  
5 431:10G-103, 431:10G-104, 431:10G-105, 431:10G-106, 431:10G-107,  
6 431:10G-108, 431:10G-201, 431:10G-202, 431:10G-206, 431:10G-301,  
7 437-7, 437B-1, 481I-2, and 604A-2, Hawaii Revised Statutes, are  
8 amended by substituting the word "motor driven cycle", or  
9 similar term, wherever the word "motor scooter", or similar  
10 term, appears, as the context requires.

11 SECTION 14. This Act does not affect rights and duties  
12 that matured, penalties that were incurred, and proceedings that  
13 were begun before its effective date.

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

16 SECTION 16. This Act shall take effect on July 1, 3000.



**Report Title:**

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

**Description:**

Requires all bicycles equipped with motors to be operated only with all wheels on the ground at all times, with certain exceptions. Prohibits certain actions while operating a bicycle equipped with a motor. Prohibits the operation of high-speed electric devices in certain locations. Requires manufacturers and distributors to apply a label to electric bicycles. Requires distributors to place a sign at or near the point of sale regarding electric bicycles. 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 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 at a speed not exceeding ten miles per hour. 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 drive cycle" with the word "motor scooter". Effective 7/1/3000. (HD1)

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

