

JAN 15 2025

A BILL FOR AN ACT

RELATING TO ELECTRIC BICYCLES.

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

1 SECTION 1. The legislature finds electric bicycles are
2 widely available and becoming a more prevalent means of personal
3 transportation. However, the growing adoption of electric
4 bicycles on public roads, bike paths, and urban environments has
5 introduced new safety concerns, including risks to riders,
6 pedestrians, and other road users, which necessitate clear and
7 comprehensive safety regulations. Existing traffic and bicycle
8 laws do not adequately address the unique characteristics and
9 risks associated with electric bicycles.

10 The legislature believes that ensuring the safety of
11 electric bicycle riders and the public requires the
12 implementation of updated regulations governing electric
13 bicycles. Additionally, public awareness of any new regulations
14 for electric bicycles is necessary for compliance with the
15 regulations.

16 Accordingly, the purpose of this Act is to update and
17 enhance the State's laws relating to electric bicycles.



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

4 "§291C-A Electric bicycles; insurance, licensing. No
5 electric bicycle or person operating an electric bicycle shall
6 be subject to the provisions of this chapter relating to
7 financial responsibility, driver's licenses, certificates of
8 title, off-highway vehicles, and license plates.

9 §291C-B Electric bicycles; labeling. Manufacturers and
10 distributors of electric bicycles shall apply a label that is
11 permanently affixed, in a prominent location, to each electric
12 bicycle. The label shall contain the classification number, top
13 assisted speed, and motor wattage of the electric bicycle.

14 §291C-C Electric bicycle regulations; signage; public
15 information. (a) Distributors of electronic bicycles shall
16 place a sign at or near the point of sale with wording
17 substantially similar to the following in all capital letters
18 and printed in not less than fourteen-point font:

19 "THE SALE AND OPERATION OF ELECTRIC BICYCLES ARE SUBJECT TO
20 CHAPTER 291C, HAWAII REVISED STATUTES, INCLUDING SECTION
21 291C-143.5, HAWAII REVISED STATUTES, WHICH PROHIBITS THE



1 OPERATION OF AN ELECTRIC BICYCLE BY A PERSON UNDER THE AGE
2 OF SIXTEEN."

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

7 **§291C-D Electric bicycles; tampering restriction.** No
8 person shall tamper with or modify an electric bicycle so as to
9 change the motor-powered speed capability or engagement of an
10 electric bicycle or the label indicating the classification
11 number required by section 291C-B.

12 **§291C-E Electric bicycles; Consumer Product Safety**
13 **Commission compliance.** Electric bicycles shall comply with the
14 equipment and manufacturing requirements for bicycles adopted by
15 the United States Consumer Product Safety Commission pursuant to
16 title 16 Code of Federal Regulations part 1512.

17 **§291C-F Electric bicycles; motor disengagement.** An
18 electric bicycle shall operate in a manner so that the electric
19 motor is disengaged or ceases to function when the rider stops
20 pedaling or when the brakes are applied.



1 §291C-G Infrastructure use by electric bicycles. (a) An
2 electric bicycle may be ridden in places where bicycles are
3 allowed, including but not limited to streets, highways, alleys,
4 roadways, sidewalks, or public paths set aside for the exclusive
5 use of bicycles.

6 (b) Following notice and a public hearing, a county may
7 prohibit the operation of a class 1 electric bicycle, class 2
8 electric bicycle, or class 3 electric bicycle on places
9 described in subsection (a) if the county finds that such a
10 restriction is needed for safety reasons or compliance with
11 other laws or legal obligations.

12 §291C-H Class 3 electric bicycles; additional regulations.

13 (a) A person under fifteen years of age may ride as a passenger
14 on a class 3 electric bicycle that is designed to accommodate
15 passengers.

16 (b) All operators and passengers of class 3 electric
17 bicycles shall wear a properly fitted and fastened bicycle
18 helmet that meets the standards provided by either the United
19 States Consumer Product Safety Commission or the American
20 Society for Testing and Materials, or standards subsequently
21 established by those entities.



1 (c) All class 3 electric bicycles shall be equipped with a
2 speedometer that displays the speed the bicycle is traveling in
3 miles per hour."

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

6 1. By adding four new definitions to be appropriately
7 inserted and to read:

8 "Class 1 electric bicycle" has the same meaning as in
9 section 291C-1.

10 "Class 2 electric bicycle" has the same meaning as in
11 section 291C-1.

12 "Class 3 electric bicycle" has the same meaning as in
13 section 291C-1.

14 "Electric bicycle" has the same meaning as in section 291C-
15 1."

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

17 ""Bicycle" means:

18 (1) A device propelled solely by human power upon which
19 any person may ride, having two tandem wheels sixteen
20 inches in diameter or greater, and including any



1 device generally recognized as a bicycle though
2 equipped with two front or two rear wheels; or
3 (2) ~~[A low-speed]~~ An electric bicycle~~[, as defined under~~
4 ~~title 15 United States Code section 2085]."~~

5 SECTION 4. Section 249-14, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) ~~[A low-speed electric bicycle, as defined under title~~
8 ~~15 United States Code section 2085,]~~ An electric bicycle shall
9 be ~~[required to be]~~ registered~~[,]~~ and shall be subject to a
10 permanent registration fee of \$30, to be paid by the owners
11 thereof to the director of finance~~[,]~~, except that a class 3
12 electric bicycle shall be subject to a permanent registration
13 fee of \$ _____, to be paid by the owners thereof to the
14 director of finance."

15 SECTION 5. Section 286-2, Hawaii Revised Statutes, is
16 amended as follows:

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

19 "Class 1 electric bicycle" has the same meaning as in
20 section 291C-1.



1 "Class 2 electric bicycle" has the same meaning as in
2 section 291C-1.

3 "Class 3 electric bicycle" has the same meaning as in
4 section 291C-1.

5 "Electric bicycle" has the same meaning as in section 291C-
6 1."

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

8 ""Bicycle" means:

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

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

16 SECTION 6. Section 291C-1, Hawaii Revised Statutes, is
17 amended as follows:

18 1. By adding four new definitions to be appropriately
19 inserted and to read:



1 "Class 1 electric bicycle" means an electric bicycle
2 equipped with a motor that provides assistance when the bicycle
3 reaches the speed of twenty miles per hour.

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

8 "Class 3 electric bicycle" means an electric bicycle
9 equipped with a motor that provides assistance only when the
10 rider is pedaling and ceases to provide assistance when the
11 bicycle reaches the speed of twenty-eight miles per hour.

12 "Electric bicycle" means a bicycle equipped with fully
13 operable pedals, a saddle or seat for the rider, and an electric
14 motor of less than seven hundred fifty watts that meets the
15 requirements of a class 1 electric bicycle, class 2 electric
16 bicycle, or class 3 electric bicycle."

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

18 "Bicycle" means:

- 19 (1) A vehicle propelled solely by human power upon which
20 any person may ride, having two tandem wheels, and
21 including any vehicle generally recognized as a



1 bicycle though equipped with two front or two rear
2 wheels except a toy bicycle; or

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

5 SECTION 7. Section 291C-141, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) It is a traffic infraction for any person to do any
8 act forbidden or fail to perform any act required in this
9 part[~~-~~]; provided that if a person does any act forbidden or
10 fails to perform any act required in this part as an operator of
11 an electric bicycle and is not the registered owner of the
12 electric bicycle, the traffic infraction shall be imposed on the
13 registered owner of the electric bicycle."

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

16 "[~~§~~291C-143.5[~~]~~] [~~Low-speed electric~~] **Electric bicycles;**
17 **operator age.** No person under the age of [~~fifteen~~] sixteen
18 shall operate [~~a low-speed~~] an electric bicycle [~~as defined~~
19 ~~under title 15 United States Code section 2085~~]."

20 SECTION 9. In codifying the new sections added by section
21 2 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 10. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 11. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____

A handwritten signature in black ink, consisting of several loops and flourishes, is written over a horizontal line.

S.B. NO. 392

Report Title:

Electric Bicycles; Regulations; Registration; Minimum Age to Operate

Description:

Amends the definition of electric bicycles subject to various state laws and classifies electric bicycles by top assisted speed. Establishes additional regulations for the registration and use of electric bicycles. Increases the minimum age to operate an electric bicycle.

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

