

ACT 187

S.B. NO. 950

A Bill for an Act Relating to Bicycles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 249-1, Hawaii Revised Statutes, is amended by amending the definitions relating to "vehicle" and "motor vehicle" as follows:

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway except devices moved by human power or used exclusively upon stationary rails or tracks, but excluding bicycle as defined in section 291C-1.

"Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, but excluding bicycle as defined in section 291C-1."

SECTION 2. Section 249-14(a), Hawaii Revised Statutes, is amended to read as follows:

"Sec. 249-14 Bicycle tax. (a) All bicycles used for the conveyance of persons shall be subject to an annual tax of \$3 each to be paid by the owners thereof to the county director of finance. This tax shall become due and payable on January 1 and shall be delinquent on March 1 of each year; provided that any bicycle initially acquired after November 30 of a calendar year, previously not registered, shall be exempt from taxation until January 1 of the next calendar year, provided that the tax for the next calendar year shall be paid before January 1. Upon receipt of the tax, the director of finance shall number and register each bicycle, for which the tax is paid, in the owner's name and furnish the owner with a metallic tag or decal for each bicycle with number and year marked thereon, charging therefor the sum of 10 cents, which tag or decal shall be attached to the bicycle. The decal shall be affixed to

the upright post attached to the sprocket facing in the forward direction. Upon initial registration by an owner or transferee, the director of finance shall require proof of ownership and require the owner to furnish verification of the serial number and description contained in the proof of ownership and require the owner to furnish verification of the serial number and description contained in the proof of ownership and application for registration. The metallic tags or decals shall be in such form as the director of finance of the county shall from time to time prescribe. It shall be the duty of the council of each county to purchase a sufficient number of such tags or decals. The term "bicycle" shall have the meaning defined in section 291-1."

SECTION 3. Section 286-2, Hawaii Revised Statutes, is amended as follows:

a. By adding thereto a new definition concerning bicycle to read as follows:

"Bicycle" means every device propelled by human power or motor power of one and one-half horsepower or less upon which any person may ride, having two tandem wheels sixteen inches in diameter or greater, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels."

b. By amending the definitions concerning "motorcycle," "motor scooter," "motor vehicle" and "vehicle" as follows:

"Motorcycle" means every motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding farm tractor and bicycle.

"Motor scooter" means every motorcycle, including every motor-driven cycle, with a motor which produces not more than five horsepower, but excluding bicycle.

"Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails, but excluding bicycle.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, but excluding bicycle."

SECTION 4. Sections 291C-1(4) and (16), Hawaii Revised Statutes, are amended to read as follows:

- (4) "Bicycle" means every device propelled by human power or motor power of one and one-half horsepower or less upon which any person may ride, having two tandem wheels, sixteen inches in diameter or greater and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.
- (16) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, and every bicycle with motor attached, but excluding such bicycle with motor of one and one-half horsepower or less.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes may exclude the brackets, the bracketed material or the underscoring.*

SECTION 6. This Act shall take effect upon its approval.

(Approved June 2, 1975.)

*Edited accordingly.