

ACT 25

S.B. NO. 2913

A Bill for an Act Relating to Highway Safety.

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

SECTION 1. Section 291C-202, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Every moped offered for sale for use upon, sold for use upon, or used upon the roadways and highways shall be equipped with:

- (1) A motor having a maximum power output capability, measured at the motor output shaft, in accordance with the Society of Automotive Engineers standards, of [one and one-half horsepower (one thousand, one hundred nineteen watts)] two horsepower (one thousand four hundred ninety-two watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the moped, unassisted, on a level surface at a maximum speed no greater than [thirty-five] thirty miles per hour [(fifty-eight kilometers per hour)]; provided that those mopeds, including those modified pursuant to section 291C-206, registered prior to the effective date of this Act shall continue to be subject to the prior thirty-five miles per hour maximum speed limitation; and
- (2) A direct or automatic power drive system which requires no clutch or gear shift operation by the moped driver after the drive system is engaged with the power unit.”

SECTION 2. Section 291C-206, Hawaii Revised Statutes, is amended to read as follows:

“**§291C-206 Modifying moped motor; violation.** (a) A motor used to power a moped shall not be modified in any manner except as authorized by the motor manufacturer and any such modification shall not increase the power capacity of the motor above [one and one-half] two horsepower[.] (one thousand four hundred ninety-two watts).

(b) Any person who violates this section shall be fined not more than \$500.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 23, 1998.)