

A Bill for an Act Relating to Low-Speed Electric Bicycles.

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

SECTION 1. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§291C- Low-speed electric bicycles; operator age. No person under the age of fifteen shall operate a low-speed electric bicycle as defined under title 15 United States Code section 2085.”

SECTION 2. Section 249-1, Hawaii Revised Statutes, is amended by amending the definition of “bicycle” to read as follows:

““Bicycle” means [every]:

- (1) A device propelled solely by human power 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[-]; or
- (2) A low-speed electric bicycle, as defined under title 15 United States Code section 2085.”

SECTION 3. Section 249-14, Hawaii Revised Statutes, is amended to read as follows:

“§249-14 Bicycle fee. (a) Bicycles having two tandem wheels that are twenty inches or more in diameter are required to be registered and shall be subject to a permanent registration fee of \$15, to be paid by the owners thereof to the director of finance.

(b) A low-speed electric bicycle, as defined under title 15 United States Code section 2085, shall be required to be registered, and shall be subject to a permanent registration fee of \$30, to be paid by the owners thereof to the director of finance.

~~[(b)]~~ (c) An owner of a bicycle having two tandem wheels that are less than twenty inches in diameter is not required to register that bicycle, but may do so to facilitate the return of recovered stolen bicycles by payment of the registration fee. The fee collected shall not be refunded or prorated. Upon receipt of the fee, the director of finance shall number and register each bicycle for which the fee is paid, in the owner’s name, and furnish the owner with a metallic tag or decal for each bicycle, which shall be attached to the bicycle. The decal shall be affixed to a bicycle on 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 application for registration. The metallic tags or decals shall be in a form as the director of finance shall from time to time prescribe. It shall be the duty of the director of finance of each county to purchase a sufficient number of these tags or decals.

~~[(e)]~~ (d) All fees collected under this section shall be deposited into the bikeway fund and shall be expended in the county in which the fees are collected as provided in section 249-17.5.”

SECTION 4. Section 286-2, Hawaii Revised Statutes, is amended by amending the definition of “bicycle” to read as follows:

““Bicycle” means [every]:

- (1) A device propelled solely by human power 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[-]; or
- (2) A low-speed electric bicycle, as defined under title 15 United States Code section 2085."

SECTION 5. Section 291C-1, Hawaii Revised Statutes, is amended by amending the definition of "bicycle" to read as follows:

""Bicycle" means [every]:

- (1) A vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, and including any vehicle generally recognized as a bicycle though equipped with two front or two rear wheels except a toy bicycle[-]; or
- (2) A low-speed electric bicycle, as defined under title 15 United States Code section 2085."

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 7. This Act shall take effect on July 1, 2019.

(Approved July 2, 2019.)

Note

1. Edited pursuant to HRS §23G-16.5.