

---

---

# A BILL FOR AN ACT

RELATING TO LOW-SPEED ELECTRIC BICYCLES.

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

1           SECTION 1. Section 249-1, Hawaii Revised Statutes, is  
2 amended by amending the definitions of "bicycle", "moped",  
3 "motor vehicle", and "vehicle" to read as follows:

4           "Bicycle" means [~~every device~~]:

- 5           (1) A device propelled solely by human power upon which  
6           any person may ride, having two tandem wheels sixteen  
7           inches in diameter or greater, and including any  
8           device generally recognized as a bicycle though  
9           equipped with two front or two rear wheels[-]; or  
10          (2) A low-speed electric bicycle, as defined under title  
11          15 United States Code section 2085.

12          "Moped" means a device upon which a person may ride which  
13 has two or three wheels in contact with the ground, a motor  
14 having a maximum power output capability measured at the motor  
15 output shaft, in accordance with the Society of Automotive  
16 Engineers standards, of two horsepower (one thousand four  
17 hundred ninety-two watts) or less and, if it is a combustion  
18 engine, a maximum piston or rotor displacement of 3.05 cubic



1 inches (fifty cubic centimeters) and which will propel the  
2 device, unassisted, on a level surface at a maximum speed no  
3 greater than thirty miles per hour; and a direct or automatic  
4 power drive system which requires no clutch or gear shift  
5 operation by the moped driver after the drive system is engaged  
6 with the power unit[-], but excludes low-speed electric  
7 bicycles.

8 "Motor vehicle" means every vehicle which is self-propelled  
9 and every vehicle which is propelled by electric power but which  
10 is not operated upon rails, but excludes mopeds[-] and low-speed  
11 electric bicycles.

12 "Vehicle" means every device in, upon, or by which any  
13 person or property is or may be transported or drawn upon a  
14 highway, but excludes devices moved by human power or devices  
15 used exclusively upon stationary rails or tracks [~~and~~],  
16 mopeds[-], and low-speed electric bicycles."

17 SECTION 2. Section 286-2, Hawaii Revised Statutes, is  
18 amended by amending the definitions of "bicycle", "moped",  
19 "motor vehicle", and "vehicle" to read as follows:

20 "'Bicycle" means [~~every device~~];



- 1        (1) A device propelled solely by human power upon which  
2            any person may ride, having two tandem wheels sixteen  
3            inches in diameter or greater, and including any  
4            device generally recognized as a bicycle though  
5            equipped with two front or two rear wheels[-]; or  
6        (2) A low-speed electric bicycle, as defined under title  
7            15 United States Code section 2085.

8            "Moped" means a device upon which a person may ride which  
9            has two or three wheels in contact with the ground, a motor  
10           having a maximum power output capability measured at the motor  
11           output shaft, in accordance with the Society of Automotive  
12           Engineers standards, of two horsepower (one thousand four  
13           hundred ninety-two watts) or less and, if it is a combustion  
14           engine, a maximum piston or rotor displacement of 3.05 cubic  
15           inches (fifty cubic centimeters) and which will propel the  
16           moped, unassisted, on a level surface at a maximum speed no  
17           greater than thirty miles per hour; and a direct or automatic  
18           power drive system which requires no clutch or gear shift  
19           operation by the moped driver after the drive system is engaged  
20           with the power unit[-], but excludes low-speed electric  
21           bicycles.



1 "Motor vehicle" means every vehicle which is self-propelled  
2 and every vehicle which is propelled by electric power but which  
3 is not operated upon rails, but excludes a moped[+] and a low-  
4 speed electric bicycle.

5 "Vehicle" means every device in, upon, or by which any  
6 person or property is or may be transported or drawn upon a  
7 highway, but excludes devices moved by human power or devices  
8 used exclusively upon stationary rails or tracks [~~and~~],  
9 mopeds[+], and low-speed electric bicycles."

10 SECTION 3. Section 291C-1, Hawaii Revised Statutes, is  
11 amended by amending the definitions of "bicycle", "moped", and  
12 "motor vehicle" to read as follows:

13 ""Bicycle" means [~~every vehicle~~]:

14 (1) A vehicle propelled solely by human power upon which  
15 any person may ride, having two tandem wheels, and  
16 including any vehicle generally recognized as a  
17 bicycle though equipped with two front or two rear  
18 wheels except a toy bicycle[+]; or

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



1 "Moped" means a device upon which a person may ride which  
2 has two or three wheels in contact with the ground, a motor  
3 having a maximum power output capability measured at the motor  
4 output shaft, in accordance with the Society of Automotive  
5 Engineers standards, of two horsepower (one thousand four  
6 hundred ninety-two watts) or less and, if it is a combustion  
7 engine, a maximum piston or rotor displacement of 3.05 cubic  
8 inches (fifty cubic centimeters) and which will propel the  
9 device unassisted, on a level surface at a maximum speed no  
10 greater than thirty miles per hour; and a direct or automatic  
11 power drive system which requires no clutch or gear shift  
12 operation by the moped driver after the drive system is engaged  
13 with the power unit[-], but excludes low-speed electric  
14 bicycles.

15 "Motor vehicle" means every vehicle which is self-propelled  
16 and every vehicle which is propelled by electric power but not  
17 operated upon rails but excludes a moped[-] and a low-speed  
18 electric bicycle."

19 SECTION 4. Section 291C-148, Hawaii Revised Statutes, is  
20 amended by amending subsection (b) to read as follows:



1           "(b) Unless otherwise prohibited, a bicycle may be driven  
2 at a speed of ten miles per hour or less on a sidewalk or  
3 sidewalk area; provided that the driver of the bicycle shall  
4 yield the right-of-way to any pedestrian and that bicycle riding  
5 shall be prohibited on sidewalks in business districts[?];  
6 provided further that low-speed electric bicycle riding shall be  
7 prohibited on all sidewalks."

8           SECTION 5. Section 293-1, Hawaii Revised Statutes, is  
9 amended to read as follows:

10           "**[+]§293-1[+]** **Defacing serial numbers, etc., of bicycles.**

11 It shall be unlawful for any person to wilfully deface, destroy,  
12 or alter the serial number, a component part number, or  
13 identification mark of any bicycle, including a low-speed  
14 electric bicycle as defined under title 15 United States Code  
15 section 2085, so placed or stamped on any bicycle by the  
16 manufacturer for the purpose of identifying the bicycle or its  
17 component parts.

18           This section does not prohibit the restoration by an owner  
19 of an original mark or number, when the restoration is  
20 authorized in writing by the county treasurer or director of  
21 finance, nor prevent any manufacturer from placing in the



1 ordinary course of business, numbers or marks upon new bicycles  
2 or new parts thereof. Violation of this section shall be a  
3 misdemeanor and shall result in a fine of not more than \$500."

4 SECTION 6. Section 293-2, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "[~~†~~]**§293-2**[~~†~~] **Bicycle dealers, records required.** All  
7 persons selling new bicycles [~~to others~~], including a low-speed  
8 electric bicycle as defined under title 15 United States Code  
9 section 2085, as a business shall keep a record for four years  
10 after the sale of a bicycle of the name of the purchaser, and  
11 the serial number, description, and make of the bicycle sold to  
12 the purchaser. This record may be inspected by the police  
13 during reasonable business hours."

14 SECTION 7. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect on March 15, 2038.



**Report Title:**

Low-speed Electric Bicycles; Bicycles

**Description:**

Clarifies the definition of "bicycles" for purposes of county vehicular taxes, highway safety laws, statewide traffic code, and bicycle laws by adding "low-speed electric bicycles" and defining low-speed electric bicycles. Excludes low-speed electric bicycles from the definitions of "moped", "motor vehicle", and "vehicle". Prohibits low-speed electric bicycle riding on all sidewalks. Effective 3/15/2038. (SD2)

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

