
A BILL FOR AN ACT

RELATING TO ELECTRIC FOOT SCOOTERS.

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

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

4 "§291C- Electric foot scooters. (a) It is a violation
5 for any person to do any act forbidden or fail to perform any
6 act required by this section, except as otherwise provided by
7 law.

8 (b) Any negligence, misconduct, or violation of this
9 section by a minor while driving an electric foot scooter shall
10 be imputed to the parent or guardian having custody of the
11 minor, who shall be jointly and severally liable with the minor
12 for any damage caused by the negligence or misconduct and any
13 penalty assessed by the courts for the violation.

14 (c) This section shall apply whenever an electric foot
15 scooter is operated upon any highway, roadway, or other
16 designated public area set aside for the preferential or
17 exclusive use of electric foot scooters. Every person operating



1 an electric foot scooter upon a roadway shall be granted all of
2 the rights and shall be subject to all of the duties applicable
3 to a driver of a vehicle under this chapter, except as to:

4 (1) Provisions of this section to the contrary; and

5 (2) Provisions of this chapter which by their nature can
6 have no application.

7 (d) The director of transportation by rule and the
8 counties by ordinance shall regulate operations of electric foot
9 scooters in their respective jurisdictions with regard to, but
10 not limited to, the following:

11 (1) Operations upon roadways, in bikeways, bicycle paths,
12 and on sidewalks;

13 (2) Restrictions on maximum speed; and

14 (3) Safety considerations;

15 provided that no authority adopted in accordance with this
16 subsection shall be less restrictive than the requirements set
17 forth in this section.

18 (e) No person under fifteen years of age shall operate an
19 electric foot scooter on a highway, street, roadway, or any
20 other public property in the State. No person less than
21 eighteen years of age shall drive an electric foot scooter



1 unless the person wears a safety helmet securely fastened with a
2 chin strap. The safety helmet shall meet the specifications and
3 requirements established by rules adopted by the director.

4 (f) No person shall drive an electric scooter which is
5 carrying any other person nor shall any person other than the
6 driver ride upon an electric scooter.

7 (g) No person operating an electric foot scooter shall
8 carry any package, bundle, or article which prevents the use of
9 both hands in the control and operation of the electric scooter.

10 (h) A motor used to power an electric foot scooter shall
11 not be modified in any manner except as authorized by the motor
12 manufacturer and any such modification shall not increase the
13 power capacity of the motor above 1,000 watts. Any person who
14 violates this subsection shall be fined not more than \$500.

15 (i) Any electric foot scooter used from thirty minutes
16 after sunset until thirty minutes before sunrise shall be
17 equipped as provided in section 291C-147; provided that in lieu
18 of the requirement of section 291C-147(b), every electric foot
19 scooter shall be equipped with a lighted lamp visible from the
20 rear.



1 (j) No person shall drive an electric foot scooter at a
2 speed other than is reasonable and prudent under the conditions
3 and having regard to the actual and potential hazards then
4 existing. No person shall drive an electric foot scooter at a
5 speed greater than fifteen miles per hour.

6 (k) Any person who operates an electric foot scooter
7 recklessly in disregard for the safety of persons or property
8 shall be assessed penalties as set forth in section 291C-161.

9 (l) A person who provides electric foot scooters for hire
10 shall not rent or lease an electric foot scooter to any person
11 unless:

12 (1) Each renter or lessee that is under the age of
13 eighteen wears a safety helmet, as required in
14 subsection (e), while operating the rented electric
15 foot scooter;

16 (2) Each renter or lessee is provided with a copy of the
17 rules for electric foot scooters as adopted by the
18 department of transportation; and

19 (3) All electric foot scooters are insured by the person
20 who offers the electric foot scooters for rent or
21 lease against loss resulting from liability imposed by



1 law for bodily injury, death, or property damage
2 suffered by any person other than the owner or
3 operator of the electric foot scooter arising out of
4 the ownership, maintenance, or use of the electric
5 foot scooter."

6 SECTION 2. Section 249-1, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By adding a new definition to be appropriately inserted
9 and to read:

10 "Electric foot scooter" means a device weighing less than
11 one hundred pounds, with two or three wheels, handlebars, and a
12 floorboard that can be stood upon while riding, which is solely
13 powered by an electric motor or human power, and whose maximum
14 speed, with or without human propulsion on a paved level
15 surface, is no more than fifteen miles per hour."

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

17 "Moped" means a device upon which a person may ride
18 [which] that has two or three wheels in contact with the ground,
19 a motor having a maximum power output capability measured at the
20 motor output shaft, in accordance with the Society of Automotive
21 Engineers standards, of two horsepower (one thousand four



1 hundred ninety-two watts) or less and, if it is a combustion
2 engine, a maximum piston or rotor displacement of 3.05 cubic
3 inches (fifty cubic centimeters) and which will propel the
4 device, unassisted, on a level surface at a maximum speed no
5 greater than thirty miles per hour; and a direct or automatic
6 power drive system which requires no clutch or gear shift
7 operation by the moped driver after the drive system is engaged
8 with the power unit. "Moped" does not include an electric foot
9 scooter."

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

12 1. By adding a new definition to be appropriately inserted
13 and to read:

14 "Electric foot scooter" means a device weighing less than
15 one hundred pounds, with two or three wheels, handlebars, and a
16 floorboard that can be stood upon while riding, which is solely
17 powered by an electric motor or human power, and whose maximum
18 speed, with or without human propulsion on a paved level
19 surface, is no more than fifteen miles per hour."

20 2. By amending the definition of "moped" to read:



1 "\"Moped\" means a device upon which a person may ride
2 [~~which~~] that has two or three wheels in contact with the ground,
3 a motor having a maximum power output capability measured at the
4 motor 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 moped, 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. \"Moped\" does not include an electric foot
14 scooter.\"

15 SECTION 4. Section 291-31.5, Hawaii Revised Statutes, is
16 amended by amending its title and subsection (a) to read as
17 follows:

18 **\"§291-31.5 Blue lights prohibited for motor vehicles,**
19 **motorcycles, motor scooters, bicycles, electric foot scooters,**
20 **and mopeds.** (a) No person shall knowingly operate, affix or
21 cause to be affixed, display, or possess any lamp, reflector, or



1 illumination device that appears to be the color blue, or colors
2 blue and red, upon any motor vehicle, motorcycle, motor scooter,
3 bicycle, electric foot scooter, or moped except for:

4 (1) County law enforcement vehicles authorized and
5 approved by the chief of police of the county in which
6 the vehicle is operated;

7 (2) Department of public safety law enforcement vehicles
8 with blue and red lamps, reflectors, or illumination
9 devices authorized and approved by the director of
10 public safety;

11 (3) Department of land and natural resources division of
12 conservation and resources enforcement vehicles with
13 blue and red lamps, reflectors, or illumination
14 devices authorized and approved by the chairperson of
15 the board of land and natural resources; or

16 (4) Department of transportation division of harbors law
17 enforcement vehicles with blue and red lamps,
18 reflectors, or illumination devices authorized and
19 approved by the director of transportation.

20 This prohibition shall not apply to factory-installed instrument
21 illumination."



1 SECTION 5. Section 291C-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted
4 and to read:

5 "Electric foot scooter" means a device weighing less than
6 one hundred pounds, with two or three wheels, handlebars, and a
7 floorboard that can be stood upon while riding, which is solely
8 powered by an electric motor or human power, and whose maximum
9 speed, with or without human propulsion on a paved level
10 surface, is no more than fifteen miles per hour."

11 2. By amending the definition of "moped" to read:

12 "Moped" means a device upon which a person may ride
13 [which] that has two or three wheels in contact with the ground,
14 a motor having a maximum power output capability measured at the
15 motor 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
19 inches (fifty cubic centimeters) and which will propel the
20 device unassisted, on a level surface at a maximum speed no
21 greater than thirty miles per hour; and a direct or automatic



1 power drive system [~~which~~] that requires no clutch or gear shift
2 operation by the moped driver after the drive system is engaged
3 with the power unit. "Moped" does not include an electric foot
4 scooter."

5 SECTION 6. Section 291C-123, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) No person shall drive any vehicle other than a
8 bicycle, electric foot scooter, or moped upon a bicycle lane or
9 bicycle path, except upon a permanent or authorized temporary
10 driveway, or park any vehicle upon a bicycle lane or bicycle
11 path; provided that any vehicle may be driven or parked in a
12 bicycle lane or bicycle path as applicable if:

- 13 (1) It is in the process of executing a legal turn, lane
14 change, or parking maneuver;
- 15 (2) It is an authorized emergency vehicle performing the
16 functions under section 291C-26;
- 17 (3) It is an official federal, state, or county vehicle in
18 the performance of its actual duty;
- 19 (4) It is a stalled or broken vehicle;
- 20 (5) It is necessary to assist a stalled or broken vehicle;



1 (6) It is necessary to yield to an authorized emergency
2 vehicle pursuant to section 291C-65; or

3 (7) It is otherwise provided by law."

4 SECTION 7. Section 707-700, Hawaii Revised Statutes, is
5 amended by amending the definition of "vulnerable user" to read
6 as follows:

7 "Vulnerable user" means:

8 (1) A pedestrian legally within a street or public
9 highway;

10 (2) A roadway worker actually engaged in work upon a
11 street or public highway or in work upon utility
12 facilities along a street or public highway, or
13 engaged in the provision of emergency services within
14 a street or public highway, including but not limited
15 to:

16 (a) Construction and maintenance workers; and

17 (b) Police, fire, and other emergency responders; or

18 (3) A person legally operating any of the following within
19 the street or public highway:

20 (a) A bicycle;

21 (b) An electric foot scooter;



Report Title:

Electric Foot Scooters; Regulation

Description:

Establishes a framework for the Department of Transportation and the counties to regulate electric foot scooters. Amends definitions of moped to exclude electric foot scooters. Prohibits use of electric foot scooters to individuals under the age of fifteen. Effective 7/1/2050. (SD2)

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