
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 part XIII to be appropriately
3 designated and to read as follows:

4 "§291C- Electric foot scooters; application of laws
5 relating to bicycles. (a) Every person operating an electric
6 foot scooter upon a roadway shall be granted all of the rights
7 and shall be subject to all of the duties applicable to a rider
8 of a bicycle under this part, except as to:

9 (1) Provisions of this section to the contrary; and
10 (2) Provisions of this part which by their nature can have
11 no application.

12 (b) An electric foot scooter may be parked on a sidewalk
13 in a manner not impeding the normal or reasonable movement of
14 pedestrian or other traffic.

15 (c) 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.



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

4 (e) A person operating an electric foot scooter upon a
5 roadway shall be at least fourteen years of age."

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 twenty miles per hour."

16 2. By amending the definitions of "moped" and "motor
17 vehicle" to read:

18 "Moped" means a device upon which a person may ride which
19 has two or three wheels in contact with the ground, a motor
20 having a maximum power output capability measured at the motor
21 output shaft, in accordance with the Society of Automotive



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

11 "Motor vehicle" means every vehicle which is self-propelled
 12 and every vehicle which is propelled by electric power but which
 13 is not operated upon rails, but excludes mopeds[-] and electric
 14 foot scooters."

15 3. By amending the definition of "vehicle" to read:

16 "Vehicle" means every device in, upon, or by which any
 17 person or property is or may be transported or drawn upon a
 18 highway, but excludes devices moved by human power or devices
 19 used exclusively upon stationary rails or tracks, electric foot
 20 scooters, and mopeds."



1 SECTION 3. Section 251-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "rental motor vehicle" or
3 "vehicle" to read as follows:

4 "Rental motor vehicle" or "vehicle" means every vehicle
5 which is:

6 (1) Self-propelled and every vehicle which is propelled by
7 electric power but which is not operated upon rails
8 which is rented or leased or offered for rent or lease
9 in this State, whether for personal or commercial use,
10 for a period of six months or less; and

11 (2) Designed to carry seventeen passengers or fewer.

12 "Rental motor vehicle" or "vehicle" shall not include:

13 (1) Mopeds and electric foot scooters as defined in
14 section 286-2;

15 (2) Any trucks, truck-tractors, tractor-semitrailer
16 combinations, or truck-trailer combinations, with:

17 (A) A manufacturer's nominal carrying capacity of one
18 thousand pounds or more; and

19 (B) A barrier or separation between the operator's
20 compartment and the cargo area; and



1 (3) Cargo vans with no more than two seats, including the
2 driver's seat; provided that vans with a recreational
3 vehicle converter package and vans with quick release
4 passenger seats shall not be classified as cargo
5 vans."

6 SECTION 4. Section 271-4, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§271-4 Definitions. As used in this chapter:

- 9 (1) "Chapter" means the Motor Carrier Law.
- 10 (2) "Commission" means the public utilities commission.
- 11 (3) "Person" or "persons" means any individual, firm,
12 copartnership, corporation, company, association, or
13 joint stock association; and includes any trustee,
14 receiver, assignee, or personal representative
15 thereof.
- 16 (4) "Certificate" means a certificate of public
17 convenience and necessity issued under this chapter to
18 common carriers by motor vehicle.
- 19 (5) "Permit" means a permit issued under this chapter to
20 contract carriers by motor vehicle.



- 1 (6) "Transportation of persons" includes every service in
2 connection with or incidental to the safety, comfort,
3 or convenience of persons transported and the receipt,
4 carriage, and delivery of these persons and their
5 baggage.
- 6 (7) "Transportation of property" includes every service in
7 connection with or incidental to the transportation of
8 property, including in particular its receipt,
9 delivery, elevation, transfer, carriage, ventilation,
10 refrigeration, icing, dunnage, storage in transit,
11 handling, and its consolidation for the purposes of
12 forwarding within the State.
- 13 (8) "Motor vehicle" means any vehicle, machine, tractor,
14 trailer, or semitrailer propelled or drawn by
15 mechanical power and used upon the highways in the
16 transportation of passengers or property, or any
17 combination thereof determined by the commission, but
18 does not include any vehicle, locomotive, or car
19 operated exclusively on a rail or rails or a trolley
20 bus operated by electric power derived from a fixed
21 overhead wire, furnishing local passenger



1 transportation similar to street-railway service[-],
2 or an electric foot scooter as defined in section
3 291C-1.

4 (9) "Highway" means the public roads, highways, streets,
5 and ways in this State.

6 (10) "Rates" includes rates, fares, tolls, rentals, and
7 charges of whatever kind and nature unless the context
8 indicates otherwise; provided that for transportation
9 by motor vehicle of passengers, where the provision of
10 transportation is part of a package that may include
11 air fare, meals, attractions, and other services,
12 "rates" shall only include the charges for the
13 provision of transportation by motor vehicle.

14 (11) "Common carrier by motor vehicle" means any person
15 that holds itself out to the general public to engage
16 in the transportation by motor vehicle of passengers
17 or property or any class or classes thereof for
18 compensation.

19 (12) "Contract carrier by motor vehicle" means any person
20 that engages in transportation by motor vehicle of
21 passengers or property for compensation (other than



1 transportation referred to in paragraph (11)) under
2 continuing contracts with one person or a limited
3 number of persons either: for the furnishing of
4 transportation services through the assignment of
5 motor vehicles for a continuing period of time to the
6 exclusive use of each person served; or for the
7 furnishing of transportation services designed to meet
8 the distinct need of each individual customer.

9 (13) "Motor carrier" includes both a common carrier by
10 motor vehicle and a contract carrier by motor vehicle.

11 (14) "Private carrier of property by motor vehicle" means
12 any person not included in the terms "common carrier
13 by motor vehicle" or "contract carrier by motor
14 vehicle", who or that transports by motor vehicle
15 property of which the person is the owner, lessee, or
16 bailee, when such transportation is for the purpose of
17 sale, lease, rent, or bailment, or in the furtherance
18 of any commercial enterprise.

19 (15) "Enforcement officer" means any person employed and
20 authorized by the commission to investigate any matter
21 on behalf of the commission. The term also means a



1 motor vehicle safety officer employed and assigned,
 2 pursuant to section 271-38, by the department of
 3 transportation to enforce sections 271-8, 271-12,
 4 271-13, 271-19, and 271-29 through the assessment of
 5 civil penalties as provided in section 271-27(h), (i),
 6 and (j)."

7 SECTION 5. Section 286-2, Hawaii Revised Statutes, is
 8 amended as follows:

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

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

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

18 "Moped" means a device upon which a person may ride which
 19 has two or three wheels in contact with the ground, a motor
 20 having a maximum power output capability measured at the motor
 21 output shaft, in accordance with the Society of Automotive



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

11 3. By amending the definition of "motor vehicle" to read:
12 "Motor vehicle" means every vehicle which is self-
13 propelled and every vehicle which is propelled by electric power
14 but which is not operated upon rails, but excludes a moped[-]
15 and an electric foot scooter."

16 4. By amending the definition of "vehicle" to read:
17 "Vehicle" means every device in, upon, or by which any
18 person or property is or may be transported or drawn upon a
19 highway, but excludes devices moved by human power or devices
20 used exclusively upon stationary rails or tracks, electric foot
21 scooters, and mopeds."



1 SECTION 6. Section 291-31.5, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "§291-31.5 Blue lights prohibited for motor vehicles,
5 motorcycles, motor scooters, bicycles, electric foot scooters,
6 and mopeds. (a) No person shall knowingly operate, affix or
7 cause to be affixed, display, or possess any lamp, reflector, or
8 illumination device that appears to be the color blue, or colors
9 blue and red, upon any motor vehicle, motorcycle, motor scooter,
10 bicycle, electric foot scooter or moped except for:

- 11 (1) County law enforcement vehicles authorized and
12 approved by the chief of police of the county in which
13 the vehicle is operated;
- 14 (2) Department of public safety law enforcement vehicles
15 with blue and red lamps, reflectors, or illumination
16 devices authorized and approved by the director of
17 public safety;
- 18 (3) Department of land and natural resources division of
19 conservation and resources enforcement vehicles with
20 blue and red lamps, reflectors, or illumination



1 devices authorized and approved by the chairperson of
2 the board of land and natural resources; or
3 (4) Department of transportation division of harbors law
4 enforcement vehicles with blue and red lamps,
5 reflectors, or illumination devices authorized and
6 approved by the director of transportation.

7 This prohibition shall not apply to factory-installed instrument
8 illumination."

9 SECTION 7. Section 291C-1, Hawaii Revised Statutes, is
10 amended as follows:

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

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

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

20 "Moped" means a device upon which a person may ride which
21 has two or three wheels in contact with the ground, a motor



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

13 3. By amending the definition of "motor vehicle" to read:
14 "Motor vehicle" means every vehicle which is self-
15 propelled and every vehicle which is propelled by electric power
16 but not operated upon rails but excludes a moped[-] and an
17 electric foot scooter."

18 4. By amending the definition of "vehicle" to read:
19 "Vehicle" means every device in, upon, or by which any
20 person or property is or may be transported or drawn upon a
21 roadway or highway, including mopeds and bicycles, but excluding



1 toy bicycles, devices other than bicycles moved by human power,
2 electric foot scooters, and devices used exclusively upon
3 stationary rails or tracks."

4 SECTION 8. Section 291C-123, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

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

- 12 (1) It is in the process of executing a legal turn, lane
13 change, or parking maneuver;
- 14 (2) It is an authorized emergency vehicle performing the
15 functions under section 291C-26;
- 16 (3) It is an official federal, state, or county vehicle in
17 the performance of its actual duty;
- 18 (4) It is a stalled or broken vehicle;
- 19 (5) It is necessary to assist a stalled or broken vehicle;
- 20 (6) It is necessary to yield to an authorized emergency
21 vehicle pursuant to section 291C-65; or



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

2 SECTION 9. Section 291C-141, Hawaii Revised Statutes, is
3 amended by amending subsection (c) to read as follows:

4 "(c) These regulations applicable to bicycles and electric
5 foot scooters shall apply whenever a bicycle or electric foot
6 scooter is operated upon any highway or upon any bicycle path
7 set aside for the preferential or exclusive use of bicycles or
8 electric foot scooters subject to those exceptions stated
9 herein."

10 SECTION 10. Section 707-700, Hawaii Revised Statutes, is
11 amended by amending the definition of "vulnerable user" to read
12 as follows:

13 "Vulnerable user" means:

- 14 (1) A pedestrian legally within a street or public
15 highway;
- 16 (2) A roadway worker actually engaged in work upon a
17 street or public highway or in work upon utility
18 facilities along a street or public highway, or
19 engaged in the provision of emergency services within
20 a street or public highway, including but not limited
21 to:



- 1 (a) Construction and maintenance workers; and
- 2 (b) Police, fire, and other emergency responders; or
- 3 (3) A person legally operating any of the following within
- 4 the street or public highway:
- 5 (a) A bicycle[+] or electric foot scooter;
- 6 (b) A moped;
- 7 (c) An electric personal assistive mobility device;
- 8 or
- 9 (d) A wheelchair conveyance or other personal
- 10 mobility device."

11 SECTION 11. This Act does not affect rights and duties
12 that matured, penalties that were incurred, and proceedings that
13 were begun before its effective date.

14 SECTION 12. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 13. This Act shall take effect upon its approval.



Report Title:

Electric Foot Scooters; Bicycles; Traffic Laws

Description:

Defines electric foot scooters and clarifies that laws relating to bicycles in general also apply to electric foot scooters. Requires an operator of an electric foot scooter to be at least fourteen years of age. (SD1)

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

