
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 XII to be appropriately
3 designated and to read as follows:

4 "§291C- Electric foot scooters. (a) This section
5 shall apply whenever an electric foot scooter is operated upon
6 any highway, roadway, or other designated public area set aside
7 for the use of electric foot scooters. Every person operating
8 an electric foot scooter upon a roadway shall be granted all of
9 the rights and shall be subject to all of the duties applicable
10 to a driver of a vehicle under this chapter, except as to
11 provisions of this:

12 (1) Section to the contrary; and

13 (2) Chapter that, by their nature, can have no
14 application.

15 (b) The counties by ordinance shall regulate operations of
16 electric foot scooters with regard to, but not limited to the
17 following:



1 (1) Operations in or upon roadways, bikeways, bicycle
2 paths, and sidewalks;

3 (2) Restrictions on maximum speed;

4 (3) Safety considerations; and

5 (4) Insurance requirements;

6 provided that no authority adopted in accordance with this
7 subsection shall be less restrictive than the requirements set
8 forth in this section.

9 (c) No person under fifteen years of age shall operate an
10 electric foot scooter on a highway, street, roadway, or any
11 other public property in the State. No person under sixteen
12 years of age shall operate an electric foot scooter unless the
13 person wears a safety helmet securely fastened with a chin
14 strap. The safety helmet shall meet the specifications of and
15 requirements for a bicycle helmet as set out in section
16 291C-150.

17 (d) No person shall operate an electric foot scooter that
18 is carrying any other person, nor shall any person other than
19 the operator ride upon an electric foot scooter.

20 (e) No person operating an electric foot scooter shall
21 carry any package, bundle, or article that prevents the use of



1 both hands in the control and operation of the electric foot
2 scooter.

3 (f) Any electric foot scooter used from thirty minutes
4 after sunset until thirty minutes before sunrise shall be
5 equipped as provided in section 291C-147; provided that in lieu
6 of the requirement of section 291C-147(b), every electric foot
7 scooter shall be equipped with a lighted lamp that is visible
8 from the rear.

9 (g) No person shall operate an electric foot scooter at a
10 speed other than is reasonable and prudent and having regard to
11 the actual and potential hazards and conditions then existing;
12 provided that no person shall operate an electric foot scooter
13 at a speed greater than fifteen miles per hour.

14 (h) Any person who operates an electric foot scooter
15 recklessly in disregard of the safety of persons or property
16 shall be assessed penalties as set forth in section 291C-161.

17 (i) A person or entity that provides electric foot
18 scooters for hire shall not rent or lease an electric foot
19 scooter to any person unless:



- 1 (1) Each renter or lessee that is under the age of sixteen
- 2 wears a safety helmet, as required in subsection (c),
- 3 while operating the electric foot scooter; and
- 4 (2) Each renter or lessee is provided with a copy of the
- 5 electric foot scooter ordinances or rules that have
- 6 been adopted by the applicable county.
- 7 (j) An electric foot scooter shall be registered in a
- 8 manner similar to a low-speed electric bicycle, and shall be
- 9 subject to a permanent registration fee of \$30, which shall be
- 10 paid by the owner to the director of finance."

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

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

15 "Electric foot scooter" means a device:

- 16 (1) Weighing less than seventy-five pounds;
- 17 (2) With two or three wheels;
- 18 (3) With handlebars;
- 19 (4) With either:
- 20 (A) A floorboard that can be stood upon while riding;
- 21 or

1 (B) A seat or saddle for the use of the rider and
2 stationary footrests;

3 (5) That is solely powered by an electric motor or human
4 power; and

5 (6) Whose maximum speed, with or without human propulsion
6 on a paved level surface, does not exceed fifteen
7 miles per hour."

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

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

1 with the power unit. "Moped" does not include an electric foot
2 scooter."

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

5 1. By adding a new definition to be appropriately inserted
6 and to read:

7 "Electric foot scooter" means a device:

8 (1) Weighing less than seventy-five pounds;

9 (2) With two or three wheels;

10 (3) With handlebars;

11 (4) With either:

12 (A) A floorboard that can be stood upon while riding;

13 or

14 (B) A seat or saddle for the use of the rider and
15 stationary footrests;

16 (5) That is solely powered by an electric motor or human
17 power; and

18 (6) Whose maximum speed, with or without human propulsion
19 on a paved level surface, does not exceed fifteen
20 miles per hour."

21 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:

6 (1) Weighing less than seventy-five pounds;

7 (2) With two or three wheels;

8 (3) With handlebars;

9 (4) With either:

10 (A) A floorboard that can be stood upon while riding;

11 or

12 (B) A seat or saddle for the use of the rider and
13 stationary footrests;

14 (5) That is solely powered by an electric motor or human
15 power; and

16 (6) Whose maximum speed, with or without human propulsion
17 on a paved level surface, does not exceed fifteen
18 miles per hour."

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

20 "Moped" means a device upon which a person may ride

21 [~~which~~] that has two or three wheels in contact with the ground,



1 a motor having a maximum power output capability measured at the
2 motor 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~~] that 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 SECTION 6. Section 291C-123, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) No person shall drive any vehicle other than a
16 bicycle, electric foot scooter, or moped upon a bicycle lane or
17 bicycle path, except upon a permanent or authorized temporary
18 driveway, or park any vehicle upon a bicycle lane or bicycle
19 path; provided that any vehicle may be driven or parked in a
20 bicycle lane or bicycle path as applicable if:



- 1 (1) It is in the process of executing a legal turn, lane
2 change, or parking maneuver;
- 3 (2) It is an authorized emergency vehicle performing the
4 functions under section 291C-26;
- 5 (3) It is an official federal, state, or county vehicle in
6 the performance of its actual duty;
- 7 (4) It is a stalled or broken vehicle;
- 8 (5) It is necessary to assist a stalled or broken vehicle;
- 9 (6) It is necessary to yield to an authorized emergency
10 vehicle pursuant to section 291C-65; or
- 11 (7) It is otherwise provided by law."

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

15 "Vulnerable user" means:

- 16 (1) A pedestrian legally within a street or public
17 highway;
- 18 (2) A roadway worker actually engaged in work upon a
19 street or public highway or in work upon utility
20 facilities along a street or public highway, or
21 engaged in the provision of emergency services within



1 a street or public highway, including but not limited

2 to:

3 (a) Construction and maintenance workers; and

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

5 (3) A person legally operating any of the following within

6 the street or public highway:

7 (a) A bicycle;

8 (b) A moped;

9 (c) An electric foot scooter;

10 [~~e~~] (d) An electric personal assistive mobility device; or

11 [~~d~~] (e) A wheelchair conveyance or other personal mobility
12 device."

13 SECTION 8. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 9. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 10. This Act shall take effect on July 1, 2050.



Report Title:

Electric Foot Scooters; Regulation

Description:

Establishes a framework for the regulation of electric foot scooters by the State and counties. Amends definitions of "moped" to exclude electric foot scooters. Takes effect on 7/1/2050. (HD2)

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

