

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. Chapter 286, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§286-    Electric rickshaws. (a) Every electric  
5 rickshaw, as described in paragraph (3) of the definition of  
6 "motorcycle" in section 286-2, operated in this State shall  
7 first be registered as a motor vehicle as provided in section  
8 286-41.

9           (b) No person shall operate an electric rickshaw on a  
10 public street, road, or highway in this State unless the person  
11 possesses a valid type 3 driver's license pursuant to section  
12 286-102(b) (3) and the electric rickshaw has been duly registered  
13 pursuant to subsection (a).

14           (c) Occupants in an electric rickshaw not equipped with a  
15 front windshield shall use eye protection.

16           (d) All occupants in an electric rickshaw shall comply  
17 with the seat belt requirements under section 291-11.6."



1 SECTION 2. Section 286-2, Hawaii Revised Statutes, is  
2 amended by amending the definition of "motorcycle" to read as  
3 follows:

4 "Motorcycle" means:

- 5 (1) Every motor vehicle that has a handlebar and seating  
6 that requires the operator to straddle or sit astride  
7 on it and is designed to travel on not more than three  
8 wheels in contact with the ground, but excludes a farm  
9 tractor and a moped; [e]
- 10 (2) Every motor vehicle that has a steering wheel and  
11 seating that does not require the operator to straddle  
12 or sit astride on it, and is designed to travel on  
13 three wheels in contact with the ground, called an  
14 autocycle which is certified by the manufacturer to  
15 comply with all applicable Federal Motor Vehicle  
16 Safety Standards as of the date of manufacture[-]; or
- 17 (3) Every motor vehicle that has a handlebar as its  
18 steering mechanism and seating that does not require  
19 the operator to straddle or sit astride on it, is  
20 designed to travel on three wheels in contact with the  
21 ground, exclusively uses a motor operated by



1           electricity, is a zero-emission vehicle, called an  
2           electric rickshaw which is certified by the  
3           manufacturer to comply with all applicable Federal  
4           Motor Vehicle Safety Standards as of the date of  
5           manufacture, has a maximum speed of fifty-five miles  
6           per hour, has an overall gross weight of 3,000 pounds  
7           or less, and is equipped with seating for one driver  
8           and six passengers."

9           SECTION 3. Section 286-102, Hawaii Revised Statutes, is  
10          amended by amending subsection (b) to read as follows:

11           "(b) A person operating the following category or  
12          combination of categories of motor vehicles shall be examined as  
13          provided in section 286-108 and duly licensed by the examiner of  
14          drivers:

- 15           (1) Mopeds;
- 16           (2) Motorcycles, except for autocycles as described in  
17           paragraph (2) of the definition of "motorcycle" in  
18           section 286-2, electric rickshaws as described in  
19           paragraph (3) of the definition of "motorcycle" in  
20           section 286-2, and motor scooters;



- 1           (3) Passenger cars of any gross vehicle weight rating,
- 2                   buses designed to transport fifteen or fewer
- 3                   occupants, trucks and vans having a gross vehicle
- 4                   weight rating of eighteen thousand pounds or less,
- 5                   [and] autocycles as described in paragraph (2) of the
- 6                   definition of "motorcycle" in section 286-2[+], and
- 7                   electric rickshaws as described in paragraph (3) of
- 8                   the definition of "motorcycle in section 286-2; and
- 9           (4) All of the motor vehicles in category (3) and any
- 10                   vehicle that is not a commercial motor vehicle.

11           A school bus or van operator shall be properly licensed to  
 12 operate the category of vehicles that the operator operates as a  
 13 school bus or van and shall comply with the standards of the  
 14 department of transportation as provided by rules adopted  
 15 pursuant to section 286-181."

16           SECTION 4. Section 291C-152, Hawaii Revised Statutes, is  
 17 amended by amending subsections (a) to (c) to read as follows:

18           "(a) A person operating a motorcycle, except for an  
 19 electric rickshaw, shall ride only upon the permanent and  
 20 regular seat attached thereto, and such operator shall not carry  
 21 any other person nor shall any other person ride on a motorcycle



1 unless the motorcycle is designed to carry more than one person,  
2 in which event a passenger may ride upon the permanent and  
3 regular seat if designed for two persons, or upon another seat  
4 firmly attached to the motorcycle at the rear or side of the  
5 operator. A person operating an electric rickshaw shall ride  
6 only upon the permanent and regular seat attached thereto, and  
7 such operator shall not carry any other person nor shall any  
8 other person ride on an electric rickshaw unless the passenger  
9 rides upon a seat firmly attached to the electric rickshaw at  
10 the rear of the operator.

11 (b) A person shall ride upon a motorcycle, except for an  
12 autocycle[7] or electric rickshaw, only while sitting astride  
13 the seat, facing forward, with one leg on each side of the  
14 motorcycle. A person shall ride upon an autocycle only while  
15 sitting in the seat and facing forward. A person shall ride  
16 upon an electric rickshaw only while sitting in a seat and  
17 facing forward or backward.

18 (c) No person shall operate a motorcycle or electric  
19 rickshaw while carrying any package, bundle, or other article  
20 which prevents the person from keeping both hands on the  
21 handlebars or, for an autocycle, on the steering wheel."

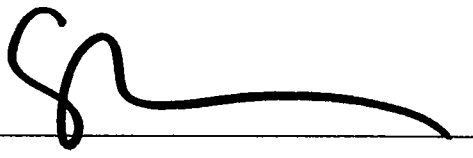


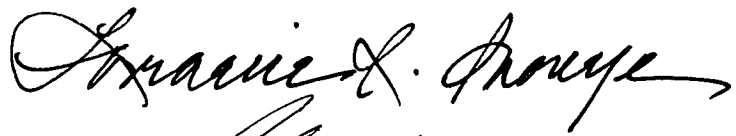
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1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

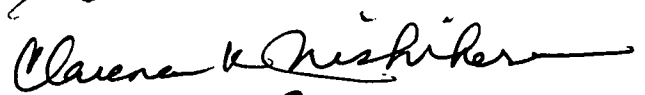
3 SECTION 6. This Act shall take effect on July 1, 2020.

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INTRODUCED BY: 



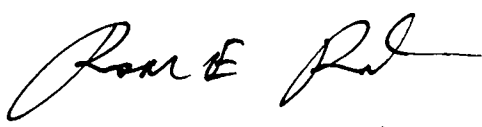


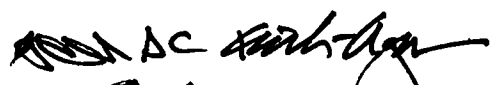
















# S.B. NO. 2199

**Report Title:**

Electric Rickshaw; Transportation; Registration; Operation

**Description:**

Establishes registration requirements and driver's licensing requirements for operation of electric rickshaws. Defines electric rickshaw.

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

