



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 26, 2019
2:05 P.M.
State Capitol, Room 325

H.B. 754, H.D.1
RELATING TO ELECTRIC FOOT SCOOTERS.

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **supports** H.B. 754, H.D.1.

This bill gives an electric foot scooter the same rights as bicycles and allows the director of transportation by rule and counties by ordinance to regulate the operation of the electric foot scooters with regard to, but not limited to: (1) their operation upon roadways, in bikeways, bicycle paths and on sidewalks; (2) restrictions on maximum speed; and (3) safety considerations.

HDOT recommends that the minimum age established in this bill be fourteen years of age instead of eighteen years of age.

The bill further provides a restriction that no one under eighteen years of age shall operate an electric foot scooter, requires the use of lamps and reflective material when operated from the hours of dusk to dawn and sets forth a penalty for the operation of an electric foot scooter in reckless disregard for the safety of persons and property.

This measure will afford Hawaii's residents and visitors a different mode of transportation with theirs' and others' safety in mind.

Thank you for the opportunity to provide testimony.



DEPARTMENT OF PLANNING
THE COUNTY OF KAUA'I

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHILIG, MANAGING DIRECTOR

KA'ĀINA S. HULL
DIRECTOR

JODI A. HIGUCHI SAYEGUSA
DEPUTY DIRECTOR

February 25, 2019

Testimony before the House Committee on Judiciary
HOUSE BILL 754 Relating to Electric Foot Scooters

February 26, 2018 at 2:05 PM

Conference Room 325

By Lee Steinmetz

Transportation Planning Officer, County of Kaua'i

To the Honorable Chair Lee, Vice Chair San Buenaventura, and members of the Committee:

The County of Kaua'i **supports** HB 754 as amended. Like it or not, electric foot scooters are already sold in Hawai'i, and we should move to reasonably regulate this new technology instead of ignoring it. The County appreciates the structure of HB 754 as amended, which allows the flexibility for each county to regulate the operation of electric foot scooters as it deems best, with minimums established in this Bill.

The County requests that the minimum age established in this Bill be fourteen (14), instead of eighteen (18). Again, this is a minimum, which can be raised by counties if they so choose. Given that Hawai'i residents can drive a car with a permit as early as the age of 15, the minimum age of 18 to ride a scooter seems excessive. This will provide counties more flexibility to determine a minimum age that fits into their overall micromobility strategy.

Your consideration is greatly appreciated.

www.kauai.gov

4444 Rice Street Suite A473 • Lihu'e, Hawai'i 96766 • (808) 241-4050 (b) • (808) 241-6699 (f)

An Equal Opportunity Employer

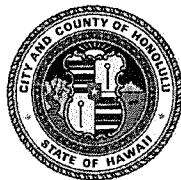


DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813

Phone: (808) 768-8305 • Fax: (808) 768-4730 • web: www.honolulu.gov

KIRK CALDWELL
MAYOR



WES FRYSZTACKI
DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

February 26, 2019

The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
and Members of the House
Committee on Judiciary
State Capitol, Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Lee, Vice Chair San Buenaventura,
and Members of the Committee on Judiciary:

**SUBJECT: House Bill 754
Relating to Electric Foot Scooters**

The Department of Transportation Services is in support of this measure.

Our department is responsible for providing a multimodal transportation system for the City and County of Honolulu. Small shared mobility vehicles, including bicycles, e-bikes, and electric foot scooters, are more frequently becoming part of multimodal transportation system in other cities across the country. We support this measure as it sets the groundwork for electric foot scooters to become a mobility and transportation option for Hawaii. We also appreciate the opportunity that each county has to regulate these vehicles within the statewide framework but in a manner that suits the respective counties.

In consideration of regulations in other cities, as well as the current requirement that an operator of a moped in Hawaii be at least 15 years of age, we respectfully request that your committee consider a reduction of the minimum age to operate a scooter from 18 to 14 years of age (see page 2, lines 11-12).

Thank you for the opportunity to submit this testimony.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wes Frysztacki", with a small "(S)" to the right.

Wes Frysztacki
Director

ADDRESS

3442 Waialae Ave., Suite 1
Honolulu, HI 96816

PHONE

808-735-5756



FAX

808-735-7989

EMAIL

bicycle@hbl.org

LATE

Testimony Supporting HB754 HD1

Aloha Chair Lee, Vice Chair San Buenaventura, and esteemed members of the Committee on Judiciary:

Hawaii Bicycling League supports **HB754 HD1 as amended**, which establish base regulations for “electric foot scooters” and enables the counties to enable their use for further ordinance.

We applaud the HD1 amendments, as we had major concerns about the original language that defined electric foot scooters as bicycles. Electric foot scooters are not bicycles. They can be propelled solely by an electric engine and move distinctly different from bicycles in terms of acceleration and handling potholes, gravel, and other road obstructions. The HD1 amendments now create a definition and regulations for electric foot scooters separate from bicycles.

Furthermore, we applaud the enabling legislation approach that has the counties establish their own regulations via ordinance for where the electric foot scooters can operate, at what maximum speed, and other safety considerations. Indeed, it leaves many important issues to the counties – Should the scooters be allowed on sidewalks? No on sidewalks in business districts but find elsewhere? Allowed on multi-use paths? Allowed on all roads? Should the maximum speed be 15 miles-per-hour? These are challenging questions that will require much consideration, so it’s good that the counties will have as much time as needed to come to the right answers before the electric scooters are allowed to operate.

Thank you very much for considering the comments of Hawaii Bicycling League. If you have any questions or would like to discuss further, please contact Daniel Alexander (808-275-6717, Daniel@hbl.org) or Chad Taniguchi (808-735-5756, chad@hbl.org).

Ride and Drive Aloha,

Daniel Alexander
Co-Executive Director
Hawaii Bicycling League

Chad Taniguchi
Director Emeritus
Hawaii Bicycling League

LATE

HB-754-HD-1

Submitted on: 2/25/2019 9:32:36 PM
Testimony for JUD on 2/26/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Boulanger	Individual	Oppose	No

Comments:

TESTIMONY PER HB 754 – 2019.02.25

Speaking as a professional transportation planner with many years of work in mobility planning, traffic safety and public health, I am still concerned that the "House's" proposed definition of what an electric foot scooter "is" is still very very far from what products Lime (and others) have deployed in the past AND what they are currently marketing (Gen 3) for new markets like Hawaii. This definition of what the future should become for communities in Hawaii will occur unless modified.

If the definition is left as proposes, "we" will get it wrong and "we" will be left with the poor results after "they" (the proposers) leave town, as has happened to other communities that have been a "beta test" host.

PRUDENTLY DEFINING AN ELECTIC FOOT SCOOTER FOR THE SAFETY OF ALL

With HB 754, as now written, the definition that allows up to 100-pound scooters will potentially allow scooters that can have much higher than expected wattage and speeds even with a "governor". The Lime scooter (and similar) had been about 1/3 this suggested weight and new models (2019) are about 1/2 this maximum weight. Imagine tripping over an almost 100-pound scooter while walking on a sidewalk...the recent JAMA report* on standing electric foot scooter injuries found that 23.8 percent of reported pedestrian injuries with scooters where from parked scooters; and note these were the much lighter early generation scooters too. This study found that the only greater threat for pedestrians injured by scooters would be being struck by an electric foot scooter in motion.

SOFT WARE CAN MAKE FOR A FAST HARD FALL

Can bicyclists co-exist safely in typically narrow bike lanes when the speed differential with a 20-mph scooter for bicyclists is greater than 8 to 10 miles per hour? Do we need scooters to go up to 20 mph as a "first and last mile" solution, as currently defined, especially if Lime "sets" its scooters for only 15 mph, as stated in their past testimony?

Most e-scooters have software-based speed "regulators" so it is both invisibly easy to modify for higher unlawful speeds AND thus difficult for local police officers / county

licensing staff to field regulate based on visual inspections when dealing with larger scooters. Not all scooter owners or operators may be as enlightened, as Lime may be with designing its software to limit speeds prudently to 15 mph. But even Lime has been having difficulty with its software operating stably and safely, as reports of frequent malfunctioning software that has locked up brakes of moving scooters and throwing off its operators down in markets worldwide (Switzerland, New Zealand, etc.) thus causing some governments to halt its service.** This may be an emerging issue with new research studies underway, as the same article stated that New Zealand's Accident Compensation Corporation has recorded more than 1,200 electric foot scooter injuries since October 2018.

WHAT A 93 POUND SCOOTER IS:

Do our state representatives want to open the door for "humvee" electric foot scooters here in Hawaii, as a first step to legal adoption and management? I doubt their constituents what to share a sidewalk or bikeway with this type of monster-scooter even if its top speed is prudently capped.

<https://www.aliexpress.com/item/3200W-Powerful-Electric-Scooter-Off-Road-Skateboard-Longboard-Adult-Electric-Scooter-Electric-Foldable-Professional-Scooter/32861560927.html>

NOT A WATT?

Furthermore, the current definition no longer has any design limitation on the watts a scooter engine can produce. As reported in many recent press accounts (worldwide) and in the Jama research above, many communities with the mass adoption of electric foot scooters have experienced a higher than proportional increase in emergency room admissions by electric scooter operators using scooters with about 250 watts, so imagine the [negative] change in health outcomes once scooters with two to four times this wattage or "horsepower" are deployed rapidly en-mass in the local market?

OUTCOMES FOR SAFETY

This definition should be revised for community safety with set a limit of 300 watts and a speed limit of 15 mph per device, similar to how Lime is currently operating in other markets. It can always be adjusted once more local oversight experience (per home rule) has been developed and admissions to the emergency rooms monitored. If the electric foot scooter companies are here in Hawaii for the long term then they should not be averse to waiting a year to see how more prudent operational safety rules work out with their consumer product vs. jumping the gun with the proposed definition and potentially under-tested*** equipment.

No one knows which scooter operators or on-line retail sellers will floor the Hawaii market once the definition as proposed by this house bill becomes law in July.

Thank you for this opportunity to speak and sorry for the late submittal.

*Injuries Associated With Standing Electric Scooter Use by Trivedi et al, JAMA Network
- Emergency Medicine 25 January 2019.

**<https://www.theguardian.com/world/2019/feb/25/lime-e-scooters-temporarily-banned-in-two-new-zealand-cities>

***rapidly evolving

Todd Boulanger, MURP

PO Box 2362

Honolulu HI 96804