

JAN 20 2023

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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. The purpose of this Act is to reduce the cost  
2 of living and cost of transportation by expanding access for  
3 rebates for the purchase and use of electric bicycles, electric  
4 mopeds, and similar mobility devices.

5 SECTION 2. Section 196-7.8, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 " ~~[+] §196-7.8 [.]~~ Electric ~~[bicyele and electric moped]~~  
8 mobility rebate program; third-party administrator; ~~[special~~  
9 ~~fund.]~~ subaccount. (a) The department of transportation shall  
10 administer a rebate program that incentivizes the purchase of  
11 new electric ~~[bicyeles and new electric mopeds]~~ mobility devices  
12 and may contract with a third-party administrator pursuant to  
13 subsection (i) to operate and manage the rebate program.

14 (b) Each eligible ~~[purchase]~~ purchaser of a new electric  
15 bicycle ~~[or]~~, new electric moped, or new electric micro-mobility  
16 device, as determined pursuant to subsection (h), shall receive  
17 [a] :



1       (1) A rebate; or  
2       (2) An additional assistance rebate,  
3 of either [~~twenty~~] forty per cent of the retail cost of the  
4 electric bicycle, electric moped, or electric micro-mobility  
5 device or \$500, whichever amount is lower; provided that no  
6 individual receiving rebates under paragraph (1) shall receive  
7 more than \$500 in total rebates each fiscal year~~[-]~~, unless also  
8 qualifying for an additional assistance rebate under paragraph  
9 (2), in which case the purchaser shall receive no more than  
10 \$1,000 in total rebates each fiscal year.

11       (c) The department of transportation shall not issue more  
12 than [~~\$700,000~~] \$2,000,000 in total rebates under this section  
13 each fiscal year; provided that the electric [~~bicycle and~~  
14 ~~electric moped~~] mobility subaccount within the highway  
15 development special fund pursuant to section 264-122(d) contains  
16 sufficient funds to pay the rebates. The department of  
17 transportation shall not be liable to pay any refund if  
18 sufficient funds are unavailable. The department of  
19 transportation shall allow valid claims filed by eligible  
20 applicants for whom sufficient funds may not be immediately



1 available to receive a rebate as funds may be available in a  
2 subsequent year.

3 (d) The department of transportation shall:

4 (1) Prepare any forms that may be necessary for an  
5 applicant to claim a rebate pursuant to this section;  
6 and

7 (2) Require each applicant to furnish reasonable  
8 information to ascertain the validity of the claim,  
9 including but not limited to the signature of the  
10 buyer and individual responsible for the sale on  
11 behalf of a retail store at the time of sale, a copy  
12 of valid government issued photo identification of the  
13 buyer at the time of the sale, receipt of purchase,  
14 name and address of the retail store, verification of  
15 eligibility, and any other documentation necessary to  
16 demonstrate the legitimate purchase of a new electric  
17 bicycle or new electric moped.

18 (e) This section shall apply to new:

19 (1) Electric bicycles capable of speeds of no more than  
20 twenty-eight miles per hour; ~~and~~

21 (2) Electric mopeds~~[7]~~; and



1        (3) Electric micro-mobility devices,  
2 purchased at a retail store after July 1, 2022.

3        (f) Applicants shall submit an application to the  
4 department of transportation within twelve months of the date of  
5 purchase to claim a rebate from the electric [~~bicycle and~~  
6 ~~electric moped~~] mobility rebate program. Failure to apply  
7 within twelve months of the date of purchase shall constitute a  
8 waiver of the right to claim the rebate.

9        (g) Nothing in this section shall alter taxes due on the  
10 original purchase. Any rebate received pursuant to this section  
11 shall not be considered income for the purposes of state or  
12 county taxes.

13        (h) In administering the electric [~~bicycle and electric~~  
14 ~~moped~~] mobility rebate program, the department of transportation  
15 shall provide [~~rebates~~]:

16        (1) Rebates pursuant to subsection (b) (1) to persons  
17            [~~eighteen~~] sixteen years of age or older who [+  
18 ~~+1~~] purchase a new qualifying electric bicycle, electric  
19            moped, or electric micro-mobility device; and

20        (2) Additional assistance rebates pursuant to subsection  
21            (b) (2) to persons sixteen years of age or older who



1 purchase a new qualifying electric bicycle, electric  
2 moped, or electric micro-mobility device and:

3 (A) Are eligible for:

4 [~~(A)~~] (i) The Supplemental Nutrition Assistance  
5 Program;

6 [~~(B)~~] (ii) The free and reduced price lunch program;

7 [~~(C)~~] (iii) Section 8 of the United States Housing Act  
8 of 1937, as amended; or

9 [~~(D)~~] (iv) Similar low-income assistance programs  
10 identified by the department of  
11 transportation; and

12 [~~(2)~~] (B) Do not own a registered motor vehicle with four  
13 or more wheels, as demonstrated by an affidavit  
14 signed by the applicant at the time of sale of  
15 the new electric bicycle [~~or~~], electric moped, or  
16 electric micro-mobility device, which may be  
17 audited by the department of transportation [~~or~~]

18 ~~(3) Are enrolled in school, community college, or~~  
19 ~~university].~~

20 (i) The department of transportation may contract with a  
21 third-party administrator to operate and manage the electric



1 ~~[bicycle and electric moped]~~ mobility rebate program. The  
2 third-party administrator shall not be deemed to be a  
3 "governmental body" as defined in section 103D-104; provided  
4 that all moneys transferred to the third-party administrator  
5 shall have been appropriated by the legislature or shall be from  
6 moneys provided by the federal government or private funding  
7 sources. The third-party administrator shall not expend more  
8 than ten per cent of the amounts appropriated for the rebate  
9 program, or any other reasonable percentage determined by the  
10 department of transportation, for administration of the electric  
11 ~~[bicycle and electric moped]~~ mobility rebate program.

12 (j) As used in this section, "electric micro-mobility  
13 device" means any ground transportation device, including  
14 standing scooters, skateboards, boards riding on a single wheel,  
15 or similar devices:

16 (1) That is powered either exclusively by electricity from  
17 a battery charged from an external source or by  
18 electricity from a battery charged from an external  
19 source in addition to human power;

20 (2) That is designed to transport a single person;



1        (3) That has a range exceeding twelve miles and maximum  
2                    speed of twenty-eight miles per hour; and

3        (4) On which a person may reasonably commute to and from  
4                    regular destinations."

5            SECTION 2. Section 264-122, Hawaii Revised Statutes, is  
6 amended by amending subsection (d) to read as follows:

7            "(d) There is established within the highway development  
8 special fund an electric [~~bicyele and electric moped~~] mobility  
9 subaccount. The department shall expend moneys in the  
10 subaccount for the purposes of funding the electric [~~bicyele and~~  
11 ~~electric moped~~] mobility rebate program established pursuant to  
12 section 196-7.8."

13            SECTION 3. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$                    or so  
15 much thereof as may be necessary for fiscal year 2023-2024 and  
16 the same sum or so much thereof as may be necessary for fiscal  
17 year 2024-2025 to be deposited into the electric mobility  
18 subaccount of the highway development special fund, established  
19 pursuant to section 264-122(d), Hawaii Revised Statutes.

20            SECTION 4. There is appropriated out of the electric  
21 mobility subaccount of the highway development special fund,







# S.B. NO. 809

**Report Title:**

Department of Transportation; Electric Bicycle and Electric Moped Rebate Program; Subaccount; Electric Mobility; Appropriations

**Description:**

Renames the electric bicycle and electric moped rebate program as the electric mobility rebate program. Expands the scope of the program to include electric micro-mobility devices and an additional rebate type. Appropriates moneys.

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