

A BILL FOR AN ORDINANCE

RELATING TO ELECTRIC BICYCLES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to regulate the possession and use of bicycles and electric bicycles in the City and County of Honolulu.

SECTION 2. Section 15-2.33, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"15-2.33 Bicycle and related terms.

For the purposes of this chapter, the following ~~[definition applies]~~ definitions apply unless the context clearly indicates or requires a different meaning.

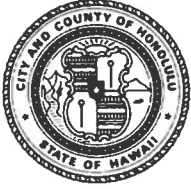
Bicycle. The same as defined in HRS § 291C-1.

Bicycle Docking Station. A facility that is used for the parking, securing, dispensing, and return of bicycles, and is owned or operated, or both, by a bicycle sharing company.

Bicycle Sharing Company. A company, subject to a contract or formal agreement with the city, which provides docked bicycles for use by the public.

Electric Bicycle. A bicycle equipped with fully-operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

- (1) Class 1: An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;
- (2) Class 2: An electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or
- (3) Class 3: An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour."



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SECTION 3. Section 15-18.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-18.1 License required.

No person who resides within the city shall ride or propel a bicycle on any street, highway, alley, roadway, or sidewalk, or upon any public path set aside for the exclusive use of bicycles, unless ~~[such]~~ the bicycle has been licensed and ~~[a license plate 2 x 3 inches in size, or]~~ a license decal[,] is attached thereto as provided in this article."

SECTION 4. Section 15-18.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-18.2 Attachment of ~~[license plate or]~~ license decal.

~~[In the case of a license plate, it shall be firmly attached to the rear mudguard or frame of the bicycle for which it is issued, in such position as to be plainly visible from the rear. In the case of a]~~ A license decal, ~~[it shall]~~ must be affixed to the upright post attached to the sprocket of the bicycle for which it is issued, faced in the forward direction."

SECTION 5. Section 15-24.16, Revised Ordinances of Honolulu 2021, is amended to read as follows:

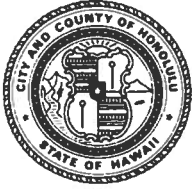
"§ 15-24.16 Restriction of motorized vehicles and electric bicycles on pedestrian overpass or underpass.

No person shall operate a motor scooter, motorcycle, electric bicycle, or any motorized vehicle upon any portion of a pedestrian overpass or underpass."

SECTION 6. Chapter 15, Revised Ordinances of Honolulu 2021 ("Traffic and Vehicles"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE __: OPERATION OF ELECTRIC BICYCLES

§ 15-__1 Rights and duties of electric bicycle operators.



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Except as otherwise provided in this article, an operator of an electric bicycle shall be afforded all rights and privileges, and be subject to all of the duties, of the operator of a bicycle.

§ 15-__2 Insurance, licensing, and registration.

An electric bicycle or a person operating an electric bicycle is not subject to the provisions of this chapter relating to financial responsibility, driver's licenses, certificates of title, off-highway vehicles, and license plates. An electric bicycle is not a motor vehicle.

§ 15-__3 Labeling requirement.

One calendar year after this ordinance takes effect and thereafter, manufacturers and distributors of electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label must contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The label must be printed in Arial font of at least nine-point type.

§ 15-__4 Tampering restriction.

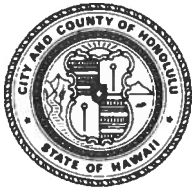
A person may not tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, or the label indicating the classification number required by § 15-__3.

§ 15-__5 Consumer Product Safety Commission compliance.

An electric bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission (16 CFR Part 1512).

§ 15-__6 Motor disengagement.

An electric bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.



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§ 15-__7 Infrastructure use by electric bicycles.

- (a) An electric bicycle may be ridden in places where bicycles are allowed, including but not limited to streets, highways, alleys, roadways, sidewalks, or public paths set aside for the exclusive use of bicycles.
- (b) Following notice and a public hearing, the city may prohibit the operation of a class 1, class 2, or class 3 electric bicycle on such paths described in subsection (a) if it finds that such a restriction is needed for safety reasons or compliance with other laws or legal obligations.
- (c) This article does not apply to any trail that is specifically designated as nonmotorized and has a natural surface tread that is made by clearing and grading the native soil with no added surface materials. The city may regulate the use of an electric bicycle on such trails.

§ 15-__8 Additional regulation of class 3 electric bicycles.

- (a) No person under 15 years of age may operate a class 3 electric bicycle. A person under 15 years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.
- (b) All operators and passengers of class 3 electric bicycles shall wear a properly fitted and fastened bicycle helmet that meets the standards provided by either the United States Consumer Product Safety Commission or the American Society for Testing and Materials, or standards subsequently established by those entities.
- (c) All class 3 electric bicycles must be equipped with a speedometer that displays the speed the bicycle is travelling in miles per hour."

SECTION 7. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



HONOLULU CITY COUNCIL
 KE KANIHELA O KE KALANA O HONOLULU
 CITY AND COUNTY OF HONOLULU

ORDINANCE _____
 BILL **52(2024)**

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SECTION 8. This ordinance takes effect upon its approval.

INTRODUCED BY:

[Handwritten signature]

DATE OF INTRODUCTION:

AUG 29 2024

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

 Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

 RICK BLANGIARDI, Mayor
 City and County of Honolulu

Report Title:

Electric Bicycles; Bicycles; Regulation; E-Bikes; Traffic Code

Description:

Amends the City's Traffic Code to regulate the possession and use of electric bicycles and to add a new article for that purpose.

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