S.B. NO. <sup>1709</sup> S.D. 1 H.D. 2

CD1

## A BILL FOR AN ACT

RELATING TO MOPEDS.

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

SECTION 1. Section 291C-195, Hawaii Revised Statutes, is
 amended to read as follows:

"§291C-195 Driving of mopeds. (a) No person [less] 3 younger than fifteen years of age shall drive a moped on a 4 highway, street, roadway, or any other public property in the 5 State. No person [less] younger than eighteen years of age 6 7 shall drive a moped unless the person wears a safety helmet securely fastened with a chin strap. The safety helmet shall 8 meet the specifications and requirements established by rules 9 10 adopted by the director.

(b) No person shall drive a moped except while sitting astride the seat, facing forward, with one leg on each side of the moped.

14 (c) No person shall drive a moped [which] that is carrying
15 any other person nor shall any person other than the driver ride
16 upon a moped.

17 (d) Subsections (b) and (c) shall not apply to three18 wheeled mopeds designed to carry a driver and passenger seated
2007-2959 SB1709 CD1 SMA.doc

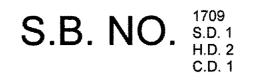
S.B. NO. <sup>1709</sup> S.D. 1 H.D. 2 C.D. 1

2

1	side by s	ide. The driver of a three-wheeled moped shall have	
2	bodily injury and property damage insurance but shall not be		
3	required to have personal injury protection insurance."		
4	SECTION 2. Section 291C-196, Hawaii Revised Statutes, is		
5	amended to read as follows:		
6	"§291C-196 Driving mopeds on roadways. (a) Every person		
7	driving a moped upon a roadway at a speed less than the normal		
8	speed of	traffic moving in the same direction at such time shall	
9	ride as near to the right side of the roadway as practicable,		
10	exercising due care when passing a standing vehicle or one		
11	proceeding in the same direction, except under any of the		
12	following	situations:	
13	(1)	When preparing for a left turn at an intersection or	
14		into a private road or driveway, except where	
15		prohibited by official traffic-control devices;	
16	(2)	When reasonably necessary to avoid conditions	
17		(including, but not limited to fixed or moving	
18		objects, vehicles, bicycles, pedestrians, animals,	
19		surface hazards, or substandard width lanes) that make	
20		it unsafe to continue along the right-hand curb or	
21		edge;	

2007-2959 SB1709 CD1 SMA.doc

Page 3



2

1	(3) When a roadway is designated and signposted to carry	
2	traffic in one direction only and has two or more	
3	marked traffic lanes, a person operating a moped may	
4	ride as near to the left-hand side of the roadway as	
5	practicable.	
6	(b) Persons driving mopeds upon a roadway shall drive in	
7	single file.	
8	(c) No person shall drive a moped on any sidewalk or area	
9	intended for use as a sidewalk, nor shall any person drive a	
10	moped on any path or other area intended for the exclusive use	
11	of pedestrians.	
12	(d) Three-wheeled mopeds shall:	
13	(1) Be operated only on roadways with posted speed	
14	limits of thirty-five miles per hour or less; and	
15	(2) Not be operated in bicycle lanes."	
16	SECTION 3. Section 291C-197, Hawaii Revised Statutes, is	
17	amended by amending subsection (a) to read as follows:	
18	"(a) Wherever bicycle lanes are provided on the roadway,	
19	moped drivers other than three-wheeled moped drivers shall use	
20	[ <del>such</del> ] bicycle lanes."	
21	SECTION 4. Statutory material to be repealed is bracketed	
22	and stricken. New statutory material is underscored.	

2007-2959 SB1709 CD1 SMA.doc



đ

1

SECTION 5. This Act shall take effect upon its approval.



Report Title: Moped

Description:

Exempts certain three-wheeled mopeds from passenger and seating restrictions on the operation of mopeds. Places additional restrictions on three-wheeled mopeds. (CD1)

1.14

