



ADDRESS
3442 Wai'ālae Ave., Suite 1
Honolulu, HI 96816

PHONE
808-735-5756

EMAIL
bicycle@HBL.org

June 13, 2025

Via email only to will.j.kane@hawaii.gov

Mr. Will J. Kane, Senior Advisor
Office of the Governor
415 S. Beretania Street, 5th Floor
Honolulu, Hawai'i 96813

RE: Clarification of HB 958, CD1

Aloha Mr. Kane,

My name is Travis Counsell, and I serve as the Executive Director of the Hawai'i Bicycling League (HBL), a nonprofit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We work to create safer, more accessible, and inclusive streets across Hawai'i and represent over 1,000 dues-paying members. Each year, we educate thousands of youth and adults and organize the largest bicycling events in the state.

In 2024, I was invited to join an e-mobility working group convened by the City DTS and included State agencies, the Honolulu Police Department (HPD), the Honolulu City Council, and industry stakeholders. This group worked collaboratively to address emerging traffic safety concerns related to micromobility. That process resulted in Honolulu City Council Bill 52 (2024), signed into law by Mayor Blangiardi earlier this year. Key recommendations from that process were shared with State legislators and helped shape HB 958, CD1.

HBL submitted testimony throughout the 2024 legislative session, supporting and offering improvements to HB 958 as it evolved. The final bill reflects input from a broad coalition of stakeholders and is a critical update to Hawai'i's outdated definitions and regulations. It provides clarity for consumers, defines previously undefined devices, and brings our statutes in line with evolving technologies and best practices.

Our current state law defines a low-speed electric bicycle based on a 25-year-old federal consumer product safety definition (Title 15, U.S. Code § 2085). Since then, micromobility devices—including a wide range of e-bikes and scooters—have become far more prevalent. This shift is driven by rising transportation costs and increased demand for affordable, efficient, and sustainable alternatives to cars.

Nearly 40 states have updated their traffic codes to accommodate these changes while prioritizing safety and moving towards a [safe systems approach](#). Hawai'i's adoption of Complete Streets principles at both the state and county levels reflects a commitment to equity and safety for all users, yet our statutes have not kept pace—until HB 958, CD1.

Mr. Will J. Kane
Re: Clarification of HB 958, CD1
June 13, 2025
Page 2

This bill is also essential for law enforcement and public safety. HPD's Traffic Division, under Major James Slayter, provided testimony supporting the need for clearer definitions and enforcement tools. Roger Morton, Director of the City's Department of Transportation Services, likewise emphasized the need to address unsafe behaviors. Most notably, the Hawai'i Department of Transportation (HDOT) highlighted that rising traffic fatalities "demonstrate the need for improved policy to address some of our more vulnerable road users, as well as lay the foundation for safe electric mobility use."

With regard to the Governor's rationale for intending to veto:

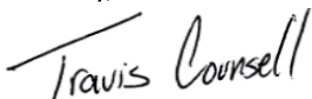
- **No legal challenge has been identified** in testimony, nor have we found precedent from other states with similar statutes facing legal action.
- **The bill contains a severability clause**, ensuring that if any part of the law were challenged, the remainder would remain valid and enforceable.
- **The bill clearly distinguishes micromobility devices from motor vehicles**, each of which is subject to separate and appropriate regulatory frameworks.
- **Hawai'i courts are guided by legislative intent**, context, and a commitment to avoid interpretations that produce absurd or impractical outcomes.

At its core, HB 958, CD1 is about enhancing safety, accountability, and clarity. It does not affect electric vehicles, and it strengthens the legal foundation for counties to address real safety concerns on our roads.

At a time when Hawai'i is experiencing a tragic rise in traffic fatalities, this bill represents a meaningful step forward. On behalf of HBL and the communities we serve, I respectfully urge the Governor to remove HB 958, CD1 from the Intent to Veto list and stand with the many organizations, agencies, and individuals working toward safer streets.

I would welcome the opportunity to meet with you to discuss this in more detail, and would be happy to include other transportation stakeholders committed to public safety. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Travis Counsell". The signature is written in a cursive, flowing style with a long horizontal line extending from the top of the first letter.

Travis Counsell
Executive Director
Hawai'i Bicycling League