



**HOUSE OF REPRESENTATIVES**

*Hale o nā Luna Makaʻāinana*

STATE OF HAWAII  
STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

May 23, 2025

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

Mr. Will J. Kane, Senior Advisor  
Office of the Governor  
415 S. Beretania Street, 5<sup>th</sup> floor  
Honolulu, Hawaii 96813

**RE: Clarification of HB958 CD1**

Aloha Will,

I'm reaching out to directly clarify some circulating concerns that **HB958 CD1** could have unintended implications for electric vehicles such as Teslas, Bolts, or other fully road-legal passenger EVs.

Let me be unequivocal: **HB958 CD1 does not impact electric cars**—neither in scope, intention, nor operation. The bill was carefully drafted to address a specific and growing regulatory gap concerning **electric bicycles and micromobility devices**, not to alter the legal framework governing registered motor vehicles.

**1. Legislative Intent and Enforcement Context Are Explicit**

HB958 CD1 is grounded in public safety. It arose from a combination of enforcement challenges and community input around the rapid rise of high-powered, unregistered electric bikes and recreational mobility devices operating on sidewalks and bike lanes without any meaningful regulation. The bill provides a foundational framework to ensure these devices can be used safely and responsibly—especially around our keiki and kūpuna—while still allowing for legitimate, low-impact use.

At no point during the measure's progression was there intent, testimony, or language suggesting applicability to electric passenger vehicles. That absence is deliberate.

**Representative Darius K. Kila**

House District 44—Honokai Hale, Nānākuli, Ma'ili  
Hawaii State Capitol, Room 322 / Honolulu, HI 96813  
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## 2. The “High-Speed Electric Device” Clause Specifically Excludes EVs

The definition of "high-speed electric device" in Section 8 is narrowly constructed:

A device with a motor exceeding 750 watts and capable of speeds over 28 mph,  
**excluding mopeds or motorcycles that are legally operable on public roads.**

This exclusion necessarily encompasses all street-legal EVs. In fact, vehicles registered under HRS Chapters **286** and **249**—which include Teslas and other electric cars—are governed under a separate statutory structure. HB958 CD1 does **not amend, reference, or modify** those chapters. That’s not just a drafting decision—it’s a legal boundary.

## 3. HB958 Operates Entirely Within Chapter 291C — the Hawai‘i Traffic Code

The bill functions strictly within the framework of **Chapter 291C**, which governs roadway behavior, not vehicle classification. It defines and regulates conduct for:

- Electric bicycles (Class 1, 2, and 3),
- Electric foot scooters,
- Electric micro-mobility devices (e.g., one-wheels, e-skateboards),
- And youth safety on those devices.

There are no changes to the definition of “motor vehicle,” no expansion of DMV responsibilities, and no new registration, insurance, or operational requirements for electric cars. There is no statutory overlap.

## 4. Safeguards Reinforce Legislative Boundaries

HB958 CD1 includes strong legal protections:

- **A severability clause** ensures that even if a provision is challenged, the rest of the Act remains intact and enforceable.
- **Statutory specificity and plain language** draw a clear line between micromobility devices and motor vehicles.
- **Interpretive principles** under Hawai‘i law—such as avoiding absurd or unintended outcomes—further guard against misapplication.

Interpreting the bill to cover electric cars would violate the plain language, contradict legislative intent, and create inconsistencies with other chapters of the HRS—none of which the bill touches.

## 5. Stakeholder Consensus Supports Narrow Scope

The bill was shaped with input from DOT, HPD, county agencies, micromobility advocates, and community stakeholders. All parties approached this issue with a shared understanding: this measure is about **clarifying rules of the road for devices that currently exist in a regulatory gray area**, not rewriting motor vehicle law.

Any interpretation to the contrary would misrepresent both the text and the process by which the bill was developed.

## Conclusion

**HB958 CD1 is about safety, accountability, and clarity in the micromobility space.** It does not affect electric vehicles that are already subject to registration, licensing, and regulation under existing law.

If there are specific lines or terms prompting concern, I'm happy to walk through them in detail. I appreciate the Governor's office taking the time to conduct a thorough review and to ensure this measure is understood in full context. My door remains open for continued discussion.

Mahalo,

A handwritten signature in black ink, appearing to read "Darius K. Kila".

Darius K. Kila  
Representative, House District 44  
Chair, House Committee on Transportation