

STAND. COM. REP. NO. 1102-24

Honolulu, Hawaii

MAR 14 , 2024

RE: S.B. No. 2443
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2443, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to establish an Automated Speed Enforcement Systems Program in up to ten school zones across the State.

Your Committee received testimony in support of this measure from the Department of Transportation; Disability and Communication Access Board; Honolulu Police Department; Oahu Metropolitan Planning Organization; Ulupono Initiative; and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual. Your Committee received comments on this measure from the Judiciary; Department of the Attorney General; and Department of Budget and Finance.

Your Committee finds that according to the National Safety Council, forty-eight percent of all traffic fatalities in Hawaii were speed related. Your Committee further finds that automated speed enforcement system programs are proven safety countermeasures that decrease speed related fatalities. In

2024-2260 SB2443 HD1 HSCR HMSO-1



studies on automated speed enforcement system programs, the National Transportation Safety Board found that they have been successfully applied in many locations across the nation and have significantly reduced the number of fatalities and serious injuries. Your Committee believes that implementing a similar program in certain areas across the State will greatly increase the safety of pedestrians and motorists.

Your Committee has amended this measure by:

- (1) Deleting language recommending immediate passage of this measure;
- (2) Deleting language permitting the counties to implement an Automated Speed Enforcement Systems Program;
- (3) Requiring, rather than permitting, the State to implement an Automated Speed Enforcement Systems Program;
- (4) Expanding the Automated Speed Enforcement Systems Program to include work zones and requiring the Automated Speed Enforcement Systems Program be implemented in at least one school or work zone in each county, rather than limiting the program to ten school zones across the State;
- (5) Deleting the general fund appropriation;
- (6) Amending the appropriations out of the Highway Safety Fund and into the Automated Speed Enforcement Systems Program Special Fund by changing the appropriation to an unspecified amount and changing the fiscal year in which the appropriations are made to fiscal year 2024-2025;
- (7) Changing the number of full-time equivalent positions established by this measure to an unspecified number;
- (8) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



Your Committee notes that there is a lack of clarity as to how the new penalty established by this measure will interact with existing speed limit laws. In particular, your Committee notes that it is unclear if the new penalty will be levied in addition to or instead of existing penalties for violating the State's speeding laws.

Your Committee further notes that additional clarity is needed on what would constitute a school or work zone. Your Committee also believes that it would be in the best interest of public safety if an Automated Speed Enforcement Systems Program was implemented prior to the beginning of the 2025-2026 school year. Accordingly, your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to insert language defining "school zone" and "work zone" and require the Department of Transportation to implement the Automated Speed Enforcement Systems Program one month prior to the 2025-2026 school year.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2443, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2443, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



CHRIS TODD, Chair



