

Honolulu, Hawaii

APR 04 2025

RE: H.B. No. 54
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 54, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase penalties for a third or subsequent offense within five years of excessive speeding to a misdemeanor;
- (2) Increase penalties for a second offense within five years of excessive speeding;
- (3) Authorize the court, as part of the person's sentencing for the third or subsequent offense, to order that the vehicle used by the person in the commission of the offense be subject to forfeiture; and
- (4) Require individuals convicted of excessive speeding to be subject to identification processing procedures.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Police Department, Oahu Metropolitan Planning Organization, and one individual.



Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that speeding contributes to a substantial number of traffic fatalities by impairing reaction time, increasing stopping distances, and heightening the risk of severe accidents. Your Committee further finds that speeding accounted for twenty-nine percent of motor vehicle deaths in the United States in 2021. This measure will prevent tragedies, protect local communities, and serve as a deterrent to dangerous driving by imposing tougher penalties on repeat offenders of excessive speeding.

Your Committee notes that the State's courts, law enforcement agencies, and other entities within the criminal justice system routinely use and rely upon information collected by the Hawaii Criminal Justice Data Center to provide complete and accurate criminal history record information. However, existing law only requires and authorizes the Hawaii Criminal Justice Data Center to collect this information in cases initiated by arrest or penal summons. Often, the offense of excessive speeding starts via a citation, where the offender would not be subject to any arrest proceedings. Your Committee further notes that this measure, as written, does not adequately address this citation issue to ensure that convictions become a part of the Hawaii Criminal Justice Data Center's data. Your Committee therefore believes that amendments to this measure are necessary to ensure that the Hawaii Criminal Justice Data Center is able to collect necessary data and that individuals will also not be subjected to unnecessary statutorily mandated identification processing a second time for the same offense if they were already processed when arrested.

Accordingly, your Committee has amended this measure by clarifying that a person who is convicted of excessive speeding shall be ordered by the court to report to the appropriate police department, sheriff's office, or other governmental agency for identification processing if that person has not previously undergone identification processing for the offense.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 54, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 54, H.D. 2, S.D. 2.

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



KARL RHOADS, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 54 HD2 SD1	Committee Referral: TCA, JDC	Date: 3/25/25
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton				✓
TOTAL	2	1		2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:

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***Only one measure per Record of Votes**