

STAND. COM. REP. NO.

1454

Honolulu, Hawaii

MAR 21, 2025

RE: S.B. No. 1667
S.D. 2
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1667, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Subject vehicles stopped on and blocking any marked crosswalk, with or without signs or curb markings, to a fine no greater than \$500;
- (2) Expand the penalties for reckless driving of a vehicle or riding of animals;
- (3) Require a person to surrender their license to a law enforcement officer if they continue to refuse to submit to a breath, blood, or urine test;
- (4) Increase the duration of the suspension of a license when a person is arrested for driving under the influence and refuses to submit to a breath or blood test;

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- (5) Establish requirements for the State Highway Safety and Modernization Council;
- (6) Authorize the State Highway Safety and Modernization Council to select potential areas for the Department of Transportation to install additional photo red light imaging detector systems;
- (7) Require the Safe Routes to School Advisory Committee to identify ten of the most dangerous school zones and authorize the Department of Transportation or county agencies to install additional automated speed enforcement systems at those locations;
- (8) Require any expansion of the Photo Red Light Imaging Detector Systems Program or Automatic Speed Enforcement Systems Program to account of its impact on district courts;
- (9) Require design features and speeds for certain highways to be determined by the National Association of City Transportation Officials' standards or American Association of State Highway and Transportation Officials' standards; and
- (10) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Chapter of Mothers Against Drunk Driving; Oahu Metropolitan Planning Organization; and Hawaii Appleseed Center for Law & Economic Justice. 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.

Your Committee finds that improving road safety is essential to protecting pedestrians, drivers, and communities across the State. However, your Committee notes that the drastic increases in penalties set forth in this measure, as currently drafted, may result in disproportionate consequences for individuals who refuse to submit to certain tests. While your Committee acknowledges the importance of addressing reckless driving and refusing to submit to certain testing, it also recognizes the need to prevent an



overwhelming burden on the judicial system to ensure a more efficient and effective legal process.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Expanded the penalties for reckless driving of a vehicle or riding of animals;
 - (B) Required a person to surrender their license to a law enforcement office if they continue to refuse to submit to a breath, blood, or urine test; and
 - (C) Increased the duration of the suspension of a license when a person is arrested for driving under the influence and refuses to submit to a breath or blood test;
- (2) Codifying the following provisions into the appropriate chapters of the Hawaii Revised Statutes, rather than placing them in session law:
 - (A) Language requiring design features and speeds for certain state highways to be determined by the National Association of City Transportation Officials' standards or American Association of State Highway and Transportation Officials' standards;
 - (B) Language establishing requirements for the State Highway Safety and Modernization Council, including authorizing the State Highway Safety and Modernization Council to select potential areas for the Department of Transportation to install additional photo red light imaging detector systems;
 - (C) Language requiring the Safe Routes to School Advisory Committee to identify ten of the most dangerous school zones and authorizing the Department of Transportation or county agencies to install additional automated speed enforcement systems at those locations; and



- (D) Language requiring any expansion of the Photo Red Light Imaging Detector Systems Program or Automatic Speed Enforcement Systems Program to account for the impact on district courts;
- (3) Changing the date when the Photo Red Light Imaging Detector Systems Program and Automated Speed Enforcement Systems Program are prohibited from issuing citations for locations selected under this measure from January 1, 2027, to July 1, 2027;
- (4) Extending the duration of the Photo Red Light Imaging Detector Systems Program or Automated Speed Enforcement Systems Program are required to provide for the courts to collaborate with the Department of Transportation when an expansion of either program identifies an impact on the district courts from six months to twelve months; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1667, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1667, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



