

STAND. COM. REP. NO.

1769

Honolulu, Hawaii

APR 02

, 2025

RE: S.B. No. 97
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. 97, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the penalty for a third or subsequent offense of excessive speeding to a class C felony and a sentence of an indeterminate term of imprisonment for five years;
- (2) Authorize the court, as part of the person's sentencing for the third or subsequent offense, to order that vehicle be subject to forfeiture;
- (3) Require a repeat offender convicted of a class C felony for excessive speeding be subject to identification processing;
- (4) Establish penalties for noncompliance with the maximum speed limit under an automated speed enforcement system and specify that any summons or citations resulting from noncompliance shall not be recorded on a person's traffic abstract and used for insurance purposes; and

2025-3067 SB97 HD2 HSCR HMSO



- (5) Require a person convicted of certain traffic offenses or granted a deferred acceptance of a guilty or nolo contendere plea or conditional discharge of the offense who has not previously undergone identification processing be subject to identification processing.

Your Committee received testimony in support of this measure from the Department of Transportation; Honolulu Police Department; Hawai'i Police Department; Pearl City Neighborhood Board No. 21; and Oahu Metropolitan Planning Organization. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that excessive speeding is a leading cause of severe traffic collisions, injuries, and fatalities in Hawaii. Speed-related crashes have accounted for a significant portion of roadway deaths in the State, with nearly half of all traffic fatalities over the past decade involving speeding. By enhancing penalties for repeat offenders, this measure aims to deter reckless driving behavior and improve safety on Hawaii's roads.

Your Committee has amended this measure by:

- (1) Changing the penalty from a class C felony to a misdemeanor and deleting language requiring the person to be sentenced to an indeterminate term of imprisonment of five years;
- (2) Amending the sentencing for a third or subsequent offense of excessive speeding;
- (3) Deleting language that would have required a repeat offender to be ordered by the court to report for identification processing;
- (4) Clarifying language relating to summons and citations issued under the Automated Speed Enforcement Systems Program;
- (5) Deleting language that would have required a person convicted of certain traffic offenses or granted a

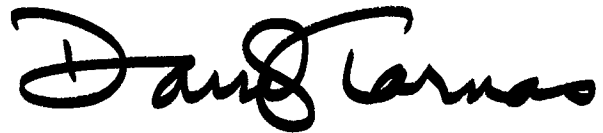


deferred acceptance of a guilty or nolo contendere plea or conditional discharge of the offense who has not previously undergone identification processing be subject to identification processing; and

- (6) 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. 97, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 97, S.D. 2, H.D. 2.

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



DAVID A. TARNAS, Chair



HSQR 1769

Bill/Resolution No.: HB 97 (D2 HD1)		Committee Referral: TRN, JHA		Date: 03/28/2025	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members		Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)		✓			
2. POEPOE, Mahina (VC)		✓			
3. BELATTI, Della Au		✓			
4. COCHRAN, Elle					✓
5. HASHEM, Mark J.		✓			
6. KAHALOA, Kirstin		✓			
7. PERRUSO, Amy A.		✓			
8. TAKAYAMA, Gregg		✓			
9. TODD, Chris		✓			
10. GARCIA, Diamond		✓		✓	
11. SHIMIZU, Garner M.		✓			
TOTAL (11)		9	0	1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					