

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 97
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 S.B. No. 97, 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 the penalty for a third or subsequent offense of excessive speeding to a class C felony;
- (2) 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
- (3) Require a repeat offender convicted of a class C felony for excessive speeding be fingerprinted.

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

Your Committee received testimony in opposition to this measure from two individuals.



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

Your Committee finds that speeding on the State's roadways jeopardizes the safety of all roadway users. According to the Department of Transportation's behavioral survey of Hawai'i drivers, fifty-two percent of respondents admitted to driving between ten and twenty miles per hour over the posted speed limit. Additionally, research has determined that the risk of fatality increases slowly until speeds of thirty miles per hour, and then the risk of fatality dramatically increases between 3.5 to 5.5 times at speeds of thirty to forty miles per hour. The risk of fatality continues to increase with every additional mile per hour. This measure will deter excessive speeding on roadways while preventing fatalities from risky behavior.

Your Committee has amended this measure by:

- (1) Clarifying that a person who is convicted of excessive speeding within five years of two prior convictions for the same offense shall be sentenced to an indeterminate term of imprisonment of five years pursuant to section 706-660, Hawaii Revised Statutes;
- (2) Clarifying that the revocation of license and privilege to operate a vehicle shall commence upon the release of the person from the person's period of imprisonment;
- (3) Deleting language that would have required a person convicted for a third or subsequent offense of excessive speeding to attend a course of instruction in driver retraining;
- (4) Clarifying that a court is required to order a person who is convicted of excessive speeding to report to a police department, sheriff's office, or other governmental agency for identification processing, including fingerprinting and photographing; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



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 S.B. No. 97, S.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.

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



KARL RHOADS, Chair



Record of Votes
Committee on Judiciary
JDC

*Only one measure per Record of Votes