



## *The Judiciary, State of Hawaii*

**Testimony to the Thirty-Third Legislature, 2025 Regular Session**

**Senate Committee on Transportation and Culture and the Arts**

Senator Chris Lee, Chair

Senator Lorraine Inouye, Vice Chair

Tuesday, February 11 2025, 3:01 p. m.

State Capitol, Conference Room 224

By

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Information Technology and Systems Director, Hawai'i State Judiciary

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**Bill No. and Title:** Senate Bill No. 1289, Relating to Traffic Violations.

**Purpose:** Limits moving violations arising from the operation of a motor vehicle that appear on traffic abstracts to those that resulted in convictions. Requires the Traffic and Emergency Period Violations Bureaus to remove all alleged moving violations not resulting in a conviction from certified abstracts. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation. Takes effect 7/1/2025.

**Judiciary's Position:**

The Judiciary takes no position on the intent of this bill, but would like to submit testimony on system and operational impacts. Changes to the current traffic abstract will require software development time and resources. Operational impacts will depend on whether existing case management structures will need to change. To this end, the effective date and appropriation amount in Senate Bill 1289 as currently drafted are appropriate, with the following information as a caveat.

Since 2005 the Judiciary Information Management System (JIMS) is used to generate the traffic abstract pursuant to Hawai'i Revised Statutes § 287-3 and includes all alleged moving violations. The Judiciary understands the intent of the measure as removing from public view alleged moving violations not resulting in a conviction from certified abstracts.



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If this measure aims to limit the change only to the traffic abstract under HRS § 287-3, motorists will be able to continue to access alleged and pending traffic cases online via eCourt Kokua, the Judiciary public online application, and 1) may review upcoming court dates if the violations are contested, 2) may verify fines and fees due if they decide to pay, as well as, 3) may determine whether there are any unpaid parking tickets for their vehicle.

This is a valuable service for motorists and the public, and has a positive impact on operations at the traffic violation bureaus statewide as the public does not need to call the court to inquire. This allows registered owners of vehicles to check on any unpaid traffic tickets and parking citations. If this measure specifies that only the dismissed cases are removed from the eCourt Kokua system, but the pending ones remain until disposed, this may provide incentive to motorists and registered owners to answer timely to all pending violations. If the pending violations are removed from both the traffic abstract *and* public eCourt Kokua, the opposite may be true.

Once a case is entered into JIMS based on a traffic ticket, that information will be available to the public online via eCourt Kokua and the certified traffic abstract is not the sole mechanism by which the public can gain access to a motorist's driving information.

In short, if only the traffic abstract is changed and not the public eCourt Kokua system, alleged violations will be viewable online prior to disposition, even if the violation is ultimately dismissed. If this measure intends to block public viewing of all alleged violations, inclusive of all pending, dismissed, and convictions, that level of specificity is not provided for in the current draft.

Importantly, however, any amendment of the measure to do so may cause confusion internally in the Judiciary and externally with and among motorists, justice system partners, and other stakeholders, would require the Judiciary to make significant modifications to the JIMS system as it pertains to eCourt Kokua that would require funding above the amount included in the current draft of this measure, and would require significant operational changes that may not be feasible.

The Judiciary respectfully thanks the Committee for the effective date of July 1, 2026 in Section 2 which gives the Judiciary time to make the necessary changes. We also respectfully request the Committee to increase the appropriation in Section 3 to \$110,000 to cover the increase in costs for software code changes, inclusive of changes to the traffic abstract and corresponding updates to eCourt Kokua. The work to update both the traffic abstract and eCourt Kokua is anticipated to be a one-time cost only.

Thank you for the opportunity to testify on Senate Bill 1289.

**SB-1289**

Submitted on: 2/8/2025 5:09:18 PM

Testimony for TCA on 2/11/2025 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joshua Medeiros	Individual	Support	Written Testimony Only

Comments:

Let me tell my story,

In 2021, I was denied Army Active Duty Service because of dismissed traffic citations showing up on my waiver. I have been serving in The Hawaii Army National Guard (over 10 years). The HI-ARNG didn't consider those same citations as the Active Duty Component uses a whole person concept and stated that "those dismissed with prejudice citations looked less favorable for service"

I was also denied employment with a Large Hotel Chain due to a faulty background investigation check with these same dismissed citations showing on my background check. I settled with the company that ran the report. (Background Company) I also found success in the Hawaii Civil Rights Commission with this same case against the (Large Hotel Chain) for discriminatory practices and also won in Federal Court. (Dismissed Traffic Citations was wrongfully included on a third-party background check)

Respectfully this could have avoided by not putting dismissed citations on a State of Hawai'i Citizen Abstract Report. The way the State of Hawaii list it on the report, most companies inadvertently assume that its a conviction when that is not the case.

This bill was partially Passed in 2023 as SB 410 (SD1-HD2-CD1) and was signed into law by Governor Josh Green. The bill was Reintroduced in 2024 as SB 2641 but unfortunately the Judiciary did not have sufficient time to hear the bill. The Judiciary has leaned favorably towards these bills the prior years.

I sincerely thank everyone for there efforts in moving these bills forward. Mahalo!!!

**SB-1289**

Submitted on: 2/10/2025 9:19:58 PM

Testimony for TCA on 2/11/2025 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Germaine Meyers	Individual	Support	Remotely Via Zoom

Comments:

Strong Support of SB1289.

- Expunging driver's abstract of non-guilty traffic violations are important to workers in the transportation industries, i.e. Uber drivers, school bus and truck drivers, handi-van drivers, etc.
- We need to support workers in the transportation industries.