



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 19, 2025
10:16 a.m.
State Capitol, Room 211

**S.B. 1667 S.D. 1
RELATING TO TRANSPORTATION**

Senate Committee on Transportation and Culture and the Arts

The Hawaii Department of Transportation (HDOT) **supports with comments** S.B. 1667 S.D. 1 which prohibits any vehicles from blocking marked crosswalks; establishes additional penalties for repeat convictions for reckless driving and excessive speeding; requires a person under arrest who refuses to submit to a breath, blood, or urine test to surrender their license to a law enforcement officer; increases the duration of the suspension of a license when a person is arrested for driving under the influence and refuses to submit a breath, blood, or urine test; allows the appeal of any license suspension to be filed with the administrative driver's license revocation office; authorizes the State Highway Safety and Modernization Council to implement an additional 25 speed photo red light imaging detector systems; authorizes the HDOT to implement an additional 25 speed enforcement systems in school zones as designated by the Safe Routes to School Advisory Committee; and establishes requirements for the State Highway Safety and Modernization Council.

Prohibiting blocking marked crosswalks improves the visibility and accessibility of pedestrians crossing the street. We request that this stopping prohibition can be enforced without signage or curb markings.

The HDOT supports additional deterrents from reckless driving and refusing to submit a blood, breath, or urine test upon arrest for driving under the influence of an intoxicant, however, would defer to the Administrative Drivers Licensing Revocation Office (ADLRO) and law enforcement if these proposed changes would aid in them removing dangerous drivers from the road and improve the current ADLRO process.

The HDOT recommends following current automated enforcement criteria (traffic crashes due to disregarding a traffic signal, speed-related crashes, volume, etc.) to be consistent with other selection criteria.

SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2.8 million or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the department of transportation or county agencies to effectuate the purposes of this Act. The sums appropriated shall be expended by the department of transportation or county agencies for the purposes of this Act.

Thank you for the opportunity to provide testimony.



The Judiciary, State of Hawai'i

Testimony to the Thirty-Third State Legislature, 2025 Session

Committee on Ways & Means

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Wednesday, February 19, 2025, 10:16 a.m.
Conference Room 211 &
Via Videoconference

WRITTEN TESTIMONY ONLY

By:

Karilee Endow Harada
Chief Adjudicator
Administrative Driver's License Revocation Office

&

Michelle D. Acosta
Deputy Chief Court Administrator
District Court of the First Circuit

Bill No. and Title: Senate Bill No. 1667, SD1 – Relating to Transportation.

Purpose: Prohibits any vehicles from blocking marked crosswalks. Requires a person under arrest who refuses to submit to a breath, blood, or urine test to surrender their license to a law enforcement officer. Increases the duration of the suspension of a license when a person is

arrested for driving under the influence and refuses to submit a breath, blood, or urine test. Allows the appeal of any license suspension to be filed with the administrative driver's license revocation office. Authorizes the State Highway Safety and Modernization Council to implement an additional twenty-five photo red light imaging detector systems. Authorizes the Department of Transportation to implement an additional twenty-five automated speed enforcement systems in school zones as designated by the Safe Routes to School Advisory Committee. Establishes requirements for the State Highway Safety and Modernization Council. Requires a report to the Legislature. Appropriates funds. Effective 7/1/2050. (SD1)

Judiciary's Position:

The Judiciary understands the intent of this measures, takes no position on its merits, and instead submits the following comments and proposed amendments for the Legislature's consideration.

I. Amendments to Account for Impacts to Court Operations

There are many transportation safety amendments within this measure, including provisions that would allow for 25 additional photo red light imaging detectors, selected by the State Highway Safety and Modernization Council, and 25 additional automated speed enforcement systems in school zones, designated by the Safe Routes to School Advisory Committee. The Judiciary has concerns regarding the volume of citations that may be generated from the expansion of these systems as contemplated in Sections 6 and 7 of this measure, and requests that any expansion be made in consultation with both the community and the Judiciary.

Based on available data, the 10 existing red-light photo detection systems in Honolulu issued an average of 1,991 citations per month in 2024. In a recent KHON2 News story from January 2025, it was reported that during a one-week period the automated speed camera system recorded 22,000 vehicles exceeding the posted speed limit by at least 11 miles per hour. The Judiciary is concerned about the effects the potential volume of citations will have on the district courts.

These citations must be processed by the district courts. The high volume would likely overwhelm current court resources. The third-party vendor selected by the Department of Transportation would provide electronic copies of traffic citations to the district courts throughout the state. However, the Judiciary's Information Management System (JIMS) is not currently equipped to pull data from the law enforcement citations and transfer the data into court records. Instead, all of the information in the citations (name, address, driver's license number, location of the offense, vehicle make and model, vehicle license plate, etc.) is manually entered by court staff into JIMS, similar to the way that handwritten notes on a receipt need to be manually entered into a billing system in order to create an invoice. Once that information is manually entered by court staff, court staff then processes requests for hearings, written statements from motorists contesting the citations or explaining mitigating circumstances,

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Senate Committee on Judiciary
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schedules court dates, and prepares minutes from court hearings. A dramatic increase in traffic citations would likely overwhelm current court resources, potentially to the detriment of other types of cases heard by district court.

The Judiciary's Information Technology Systems Department (ITSD) is looking for technological solutions to efficiently receive and process the high volume of electronic citations. This process of researching and procuring the most appropriate solution will require time and possibly an appropriation. The Judiciary requests that any expansion of the red-light and/or speed camera system take into consideration the impact on the district courts statewide and allow adequate time for the courts to work with the Department of Transportation prior to expanding the traffic enforcement camera systems.

For this reason, the Judiciary respectfully requests that the Legislature consider similar language as House Bill No. 235, HD1 which requires the Department of Transportation to seek public input from the community and the Judiciary in selecting locations for expansion and provide a report to the legislature concerning its implementation progress. To this end, the Judiciary requests the following amendments:

Section 6: “(d) In selecting these locations, the state highway safety and modernization council shall seek public input from the community and the Judiciary.”

Section 7: “(c) In selecting these locations, the safe routes to school advisory committee shall seek public input from the community and the Judiciary.”

The Judiciary would also request an effective date of January 1, 2027. This date will allow the Judiciary to assess whether an appropriation will be needed to implement the part of Senate Bill No. 1667, SD1 regarding additional automated camera systems.

II. Amendments for Consistency with ADLRO's Functions

In addition, the Judiciary has concerns about Section 4 of this measure, which seeks to amend Hawaii Revised Statutes (HRS) § 291E-65(c) to allow a district court order of license suspension be appealed to the Administrative Driver's License Revocation Office (ADLRO), rather than the Hawai'i Supreme Court.

This proposed amendment applies to HRS § 291E-65(c), which authorizes the district court to suspend the driver's license of a person under the age of 21 who was arrested after consuming a measurable amount of alcohol, under HRS § 291E-64, and refused to submit to a breath or blood test.

The Judiciary has concerns about this proposed amendment for several reasons. First, the administrative driver's license revocation process operates under HRS Chapter 291E, Part III, which is completely different from the statutes applicable to judicial proceedings filed under

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HRS § 291E-65. Second, an administrative agency, even if within the Judiciary, is not positioned to review a district court order or decision. In fact, the opposite is true and is provided by statute. When a person's license is revoked by ADLRO, those decisions are reviewed by the district courts, under HRS § 291E-40. In addition, district court decisions are subject to review by the appellate courts, pursuant to HRS § 602-57 and HRS § 602-5.

For these reasons, we respectfully request that this provision ("An appeal of any license suspension may be filed with the administrative drivers license revocation office within thirty days of a judge's suspension.") be removed from Section 4 of this measure, so to be consistent with other applicable processes and the administrative functions of the ADLRO.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 1667, SENATE DRAFT 1
RELATING TO TRANSPORTATION
Before the Senate Committee on
WAYS AND MEANS
JUDICIARY

Wednesday, February 19, 2025, 10:16 AM
State Capitol Conference Room 211 & Videoconference

WRITTEN TESTIMONY ONLY

Chair Dela Cruz, Rhoads, Vice Chair Moriwaki, Gabbard, and members of the Committees:

The Department of Law Enforcement (DLE) supports Senate Bill 1667, Senate Draft 1 (SB1667 SD1). This bill implements comprehensive traffic safety measures including prohibitions on blocking marked crosswalks, mandatory license surrenders for those who refuse breath, blood, or urine tests when arrested, and expansion of photo red light imaging and automated speed enforcement systems.

The DLE supports these measures as they will significantly enhance our ability to enforce traffic safety laws and protect our communities. The requirement for mandatory license surrenders from individuals who refuse chemical testing will strengthen our enforcement capabilities in addressing impaired driving, which remains a serious public safety concern. This provision aligns with existing efforts to combat driving under the influence and provides immediate consequences for non-compliance with testing requirements.

The expansion of automated enforcement systems, particularly in school zones, will provide additional tools for law enforcement to ensure compliance with traffic safety laws. These systems have proven effective in reducing speeding and red-light violations in other jurisdictions. The prohibition on blocking marked crosswalks will enhance pedestrian safety, which is particularly crucial for vulnerable road users including children, elderly, and persons with disabilities.

These measures collectively represent a comprehensive approach to traffic safety enforcement that will help reduce accidents, injuries, and fatalities on our roads while providing law enforcement with necessary tools to effectively carry out our public safety mission.

Thank you for the opportunity to testify in support of this bill.

SB-1667-SD-1

Submitted on: 2/14/2025 9:26:27 PM

Testimony for WAM on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as it creates undue hardship for drivers that have many things to watch for on the road, this just creates more distractions. I think you need to also deal with the pedestrians who cross against lights and have no regard for the rule of law. This is a way to penalize individuals who drive for a living and unlike most need to get to where they are going. I drive all day and see numerous issues, blatant cell phone use, last minute lane change, people on e-motors weaving in and out of traffic they use the side walk/crosswalks to avoid stopping. I see very little enforcement on these criminal activities. Many vehicles with expired registration driving however they want. This is just what I see in my 12 hours on the road way on Oahu. These cameras and not blocking the crosswalk will not improve this situation, we need a change in how our laws are enforced. Stop trying to make money off our over taxed people and enforce the laws. I strongly oppose this bill.

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Submitted on: 2/15/2025 8:45:38 AM

Testimony for WAM on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Teresa Parsons	Individual	Support	Written Testimony Only

Comments:

I stand in strong support for this bill.

SB-1667-SD-1

Submitted on: 2/15/2025 8:29:52 AM

Testimony for WAM on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure due to adding of the language for additional twenty-five photo red light imaging detector systems. I believe this is an invasion of privacy and it cannot be proven, without a doubt, that the owner was the driver committing the offense.