

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



EDWIN H. SNIFFEN  
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Deputy Directors  
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TAMMY L. LEE  
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STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097



February 10, 2025  
3:15 p.m.  
State Capitol, Room 225

**S.B. 971**  
**RELATING TO TRAFFIC**

Senate Committees on Transportation and Culture and the Arts and  
Public Safety and Military Affairs

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The Hawaii Department of Transportation (HDOT) **supports S.B. 971**, which provides that if a law enforcement officer lawfully stops a motor vehicle and the operator is cited for driving without a valid license, the officer shall not permit the operator to resume the use of the motor vehicle. Requires the motor vehicle to be moved by a licensed driver or towed at the owner's expense. Provides that the cited operator is responsible for arranging the operator's transportation from the scene of the stop.

The HDOT supports this effort to remove unlicensed drivers from our roadways to reduce motor vehicle crashes and fatalities.

We respectfully urge the Committee to pass this measure.

Thank you for the opportunity to provide testimony.

C. Kimo Alameda, Ph.D.  
Mayor



Benjamin T. Moszkowicz  
Police Chief

William V. Brillhante Jr.  
Managing Director

Reed K. Mahuna  
Deputy Police Chief

## County of Hawai`i

### POLICE DEPARTMENT

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February 8, 2025

Senator Chris Lee and Committee Members  
Committee on Transportation and Culture and the Arts  
Senator Brandon J.C. Elefante and Committee Members  
Committee on Public Safety and Military Affairs  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Dear Senators Lee and Elefante:

RE: SENATE BILL 971 RELATING TO TRAFFIC  
DATE: FEBRUARY 10, 2025  
TIME: 3:15 P.M.  
PLACE: CONFERENCE ROOM 225 & VIDEOCONFERENCE

The Hawaii Police Department (HPD) respectfully submits this testimony in opposition to Senate Bill 971.

HPD wholeheartedly agrees that unlicensed drivers on Hawaii's roads pose a significant risk both to themselves and to the general public. Accordingly, the Hawaii County Council, in 2011, enacted Hawaii County Code Section 24-12, which authorizes police officers to tow vehicles when drivers are cited for offenses such as driving without a license, driving with a suspended license, and operating a vehicle under the influence of an intoxicant, among other violations of the Hawaii Revised Statutes' Statewide Traffic Code.

Senate Bill 971, as currently drafted, could significantly restrict HPD's ability to tow vehicles under the authority of the existing County Code. Furthermore, the unique geographical challenges of Hawaii County could lead to extended delays while waiting for a "reasonable time" to allow a licensed individual to remove the vehicle. Similarly, these geographic factors could also result in extended response times for tow companies, thereby prolonging the duration of law enforcement presence at traffic stops. This delay would divert critical police resources away from other essential public safety functions.

For these reasons, HPD respectfully opposes Senate Bill 971.

We appreciate the opportunity to provide this testimony and urge the legislature to consider the serious public safety implications of this bill.

Respectfully,

  
BENJAMIN T. MOSZKOWICZ  
POLICE CHIEF

**JON N. IKENAGA**  
STATE PUBLIC DEFENDER



**HAYLEY CHENG**  
ASSISTANT PUBLIC  
DEFENDER

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## STATE OF HAWAII

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Committee on Transportation and Culture and the Arts  
Sen. Chris Lee, Chair  
Committee on Public Safety and Military Affairs  
Sen. Brandon J.C. Elefante, Chair  
415 South Beretania Street, Conf. Rm. 225  
State Capital  
Honolulu, HI 96813

RE: Testimony in Opposition of S.B. 971  
Hearing: Monday, February 10, 2025, 3:15 PM

Chairs Lee and Elefante and Committee Members:

The Office of the Public Defender strongly opposes S.B. 971 which requires the operator of a vehicle who is cited for driving without a valid license to find a licensed driver to move the vehicle or the vehicle will be towed at the owner's expense.

S.B. 971 will cause more harm than good requiring law enforcement to stay on scene at a traffic stop until a licensed driver or tow truck removes the vehicle. The officer is also tasked with validating that the registered owner of the vehicle gives "explicit" permission for another driver to take possession of the vehicle. The officer must also ensure that the licensed driver is "able to legally park or store the motor vehicle." These obligations, including potentially waiting for a tow truck to take possession of the vehicle, will result in the officer staying at the traffic stop for a lengthy period. Not only will the officer be removed from patrol and investigation duties, waiting around for a driver or tow truck, but it will also necessitate that the officer write a report at the station. S.B. 971 will turn a routine traffic stop into an investigative encounter which will take up a significant amount of time. Further, if the driver successfully challenges the stop, the driver would be entitled to damages, including the towing and/or storage costs. There may also be additional legal challenges as to the propriety of charging the registered owner towing expenses.

S.B. 971 casually refers the driver to alternate transportation, rideshare or taxi services, and will be responsible for the transportation expenses. This will cause significant expenses for the driver, expenses that the driver will likely be unable to afford. If the driver could afford the alternate transportation, it would have been used. The fact of the matter is that most unlicensed drivers are unable to obtain their license due to unpaid

traffic fees and fines. S.B. 971 will only dig the driver deeper into debt, prolong the inability to pay off the outstanding balance and perpetuate the problem.

Thank you for taking these comments into consideration.

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# SHOPO



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

Robert Cavaco  
State Board President

" A Police Organization for Police Officers Only "  
Founded 1971

Term of Office  
1-2022 to 12-2025

February 10, 2025

The Honorable Chris Lee, Chair  
The Honorable Lorraine R. Inouye, Vice Chair  
Senate Committee on Transportation and Culture and the Arts

The Honorable Brandon J.C. Elefante, Chair  
The Honorable Glenn Wakai, Vice Chair  
Senate Committee on Public Safety and Military Affairs  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Re: **SB 971 – Relating to Traffic**

Dear Chairs Lee and Elefante, Vice-Chairs Inouye and Wakai, and Honorable Committee members:

I serve as the President of the State of Hawaii Organization of Police Officers ("SHOPO") and write to you on behalf of our Union in strong opposition to SB 971, which proposes significant changes to the handling of unlicensed drivers by law enforcement officers. While we recognize the intent of this bill to enhance public safety, we believe that as currently drafted, the bill poses several challenges that could adversely affect law enforcement operations and officer safety.

As you know, our county police departments are experiencing a critical staffing shortage. The requirement for officers to ensure that a vehicle is moved by a licensed driver or towed at the owner's expense places an undue operational burden on law enforcement. Officers are already tasked with numerous responsibilities during traffic stops, and adding the obligation to arrange for vehicle removal without discretion will most certainly detract from their primary duties of ensuring public safety and enforcing the law.

In addition, because it is common for one tow wagon to work a large area, wait times for tow trucks to respond to accidents average about thirty minutes. Thus, the bill's provisions would prolong traffic stops, increasing the time officers spend on the roadside, thereby elevating the risk of accidents or confrontations.

In conclusion, while SHOPO supports efforts to improve road safety, we believe that SB No. 971, in its current form, presents significant challenges that could hinder law enforcement operations and compromise officer safety. We urge the legislature to consider alternative approaches that balance public safety with practical enforcement measures.

Thank you for considering our perspective on this important issue.

Respectfully submitted,  
ROBERT CAVACO  
SHOPO President

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**LATE**

**SB-971**

Submitted on: 2/10/2025 1:43:44 PM

Testimony for TCA on 2/10/2025 3:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ellen Awai	Individual	Support	Written Testimony Only

Comments:

I stand in support of SB971. This gives law enforcement some right to enforce the citation that they are unlicensed driver and should not be driving. Sad that so many laws are created but not enough to support law enforcement!