

WRITTEN ONLY

TESTIMONY BY GEORGINA K. KAWAMURA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 145, H.D. 1

March 3, 2009

RELATING TO HIGHWAY SAFETY

House Bill. No. 145, H.D. 1, establishes a Photo Red Light Imaging Detector System program to improve enforcement of the traffic signal laws and appropriates unspecified general fund amounts to each county for Fiscal Year 2010 to establish such a program.

While we support the intent of this bill, we oppose the use of general funds to establish a Photo Red Light Imaging Detector System program. We prefer language in the Administration bill to establish a special account for this program.



THE JUDICIARY, STATE OF HAWAII

Testimony to the Twenty-Fifth Legislature, Regular Session of 2009

House Committee on Finance
The Honorable Marcus R. Oshiro, Chair
The Honorable Marilyn B. Lee, Vice Chair

Tuesday, March 3, 2009, 6:00 p.m.
State Capitol, Conference Room 308

by

Iris Murayama
Deputy Chief Court Administrator
District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 145, H.D. 1, Relating to Highway Safety

Purpose: Establishes the photo red light imaging detector system program. Authorizes counties to implement the program. Requires fines collected to be paid directly to the county in which the fine occurred. Increases the time to mail a citation to the owner of the vehicle that used a high occupancy lane illegally.

Judiciary's Position:

The Judiciary takes no position on the merits of House Bill No. 145, H.D. 1, but is concerned with the negative impact on Judiciary operations.

The bill calls for summonses or citations to be issued to the registered owners of the offending vehicles. However, the counties' vehicle registrations are not always current and often there are vehicle transfer transactions pending. This may result in a substantial number of summonses or citations regarding the offending vehicles mailed in error to the previous owners. Correcting this discrepancy will require additional processing by District Court staff statewide. In addition, should defendants contest their erroneous summonses or citations by submitting written statements or requesting court hearings, District Court staff will need to prepare the written statements for review or schedule cases for hearing.



House Bill No. 145, HD1, Relating to Highway Safety
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Moreover, the potential impact on the Judiciary's fiscal staff needs to be considered because the fiscal staff will be responsible for collecting the imposed fines; and there is presently no mechanism to identify the fines to be distributed to the respective counties.

Thank you for the opportunity to testify on this measure.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE MARCUS OSHIRO, CHAIR
HOUSE FINANCE COMMITTEE
Twenty-fifth State Legislature
Regular Session of 2009
State of Hawai'i

March 3, 2009

RE: H.B. 145, H.D. 1; RELATING TO HIGHWAY SAFETY.

Chair Oshiro and members of the House Committee on Finance, the Department of the Prosecuting Attorney submits the following testimony in support of H.B. 145, H.D. 1.

The purpose of this bill is to establish photo red light imaging programs that will be implemented by the counties on state or county highways. The programs are intended to enforce state laws on running red lights. The bill also requires that the photo red light imaging detector equipment must be operated from a fixed structure and that signage must be provided on all major routes entering the areas in which photo red light imaging detectors may be used.

We support the concept of using photo traffic enforcement as a part of a traffic safety program. When used appropriately, we believe that photo enforcement can help in increasing public awareness of traffic safety issues and can decrease traffic injuries and fatalities. We believe that the proposed amendments do correct some of the flaws in the previous photo enforcement efforts by suggesting that the placement of the photo enforcement devices be based upon traffic safety criteria rather than revenue generation.

Thank you for this opportunity to testify.



DOWNTOWN NEIGHBORHOOD BOARD NO. 13

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**Testimony of
Thomas Smyth, Board Member**

**Before the
House Committee on Finance
Tuesday March 3, 2009
6:00 pm Room 308
On**

HB 145 Relating to Highway Safety

Chair Oshiro, Vice Chair Lee and Members of the Committee:

The Downtown Neighborhood Board strongly supports HB 145 that authorizes the counties to implement a red light camera system. This bill would reinstate the basic authority to conduct this much needed safety operation on those streets and roads where accidents are most likely to happen. It is unfortunate that the previous authorization ten years ago was never implemented.

The Downtown and Chinatown areas have many intersections that are dangerous for both pedestrians and other drivers. Only three blocks from the Capitol at the Corner of Vineyard Blvd. and Punchbowl St., a red light camera system was installed under the provisions of Act 234, SLH 1998. It was never turned on but the poles and cabling are still in place and we feel it could finally be used as an inexpensive but effective test for such a system.

This measure appears to have taken the experience in more than 200 locations around the mainland and in many other nations into account to insure an effective and financially sound system.

Such systems do save lives and improve driver awareness and safety. We strongly urge this committee to pass HB 145 forward for further public consideration.

Thank you for the opportunity to provide this testimony.



**Testimony to the House Committee on Finance
Tues., March 3, 2009 6:00 p.m.
Conference Room 308, State Capitol**

Re: HB 145 HD1 Relating to Highway Safety

Chair Oshiro, Vice Chair Lee, and committee members:

I am Carolyn Fujioka on behalf of State Farm Mutual Automobile Insurance Company. **State Farm supports HB 145 HD1.**

According to a Jan. 27 2007 "Status Report" from the Insurance Institute for Highway Safety (IIHS), red light running causes about 800 crash deaths per year, and about half of the people who are killed aren't the signal violators. They are pedestrians and people in vehicles that are struck by motorists committing the violations. Another 165,000 people are estimated to be injured in red light running crashes each year.

Results of a 2004 Philadelphia study rebut camera opponents who claim that lengthening yellow signal intervals is the solution to reduce intersection crashes. Appropriate yellow intervals are required, but cameras have a bigger impact. Violations at six approaches to two Philadelphia intersections ranged from 8 to 251 per 10,000 vehicles before any changes were introduced. After yellow signal timing was lengthened, violation rates declined by 20 to 63 percent, depending on the location. After red light cameras had been operating for about a year, the rates declined an additional 87 to 100 percent.

State Farm supports laws and regulations that encourage the use of new technologies, such as cameras, to help enforce laws against red-light runners. We think these devices should be used at appropriate intersections as determined by state and county authorities. We are confident in the accuracy of IIHS research that shows cameras deter red-light running and reduce intersection crashes. Concerns about privacy can be and have been adequately addressed by state laws that allow use of these devices.

Thank you for the opportunity to testify.

COMMITTEE ON FINANCE

Honorable Marcus R. Oshiro, Chair
Honorable Marilyn B. Lee, Vice Chair

Re: House Bill No. 145, HD1 -- Relating to Highway Safety

Tuesday, March 3, 2009
Hawaii State Capitol, Conference Room 308
6:00 p.m.

HONORABLE MARCUS R. OSHIRO, CHAIR, HONORABLE MARILYN B. LEE,
VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Milton Imada. I am a registered voter with a background in fleet maintenance and safety who also maintains a commercial driver's license. I am testifying in behalf of private and professional drivers who believe as I do.

We ask you not to spend our hard earned tax dollars on any form of traffic cameras that citizens rejected in 2002 especially during a time of failing economy and high unemployment.

Please do not let the tactic of attaching Section 4 on page 12 on H.B. No. 145 concerning the high occupancy vehicle lane citations force you to pass the unpopular redlight imagining detector system.

ENTRAPMENT:

Commercial drivers will be this Bill's most common victims because the inadequate timing of yellow lights fails to allow enough time for all lengths of commercial vehicles and buses entering the intersections on the yellow lights to pass the photo sensors and safely exit the intersections under all conditions of traffic. The size, weight, load and length of commercial vehicles and busses require much more space in front to come to a safe stop without which they are committed to engage the intersection and become a photo victim. Buses stopping abruptly may cause passenger injuries.

Currently there isn't a problem because a vehicle entering an intersection on the yellow light is allowed to exit without being cited in spite of the vehicle's rear end still over the entry side of the intersection. This will all change with

the passage of House Bill No. 145. Supporters of this Bill will be knowingly and deliberately trapping these exceptional individuals, forcing them to receive undeserving red light citations and increasing insurance premiums that will threaten their livelihoods.

DISCRIMINATION AND SAFETY CONTRADICTION:

The intersection stoplight photo imaging system this Bill imposes is bias and unjustly discriminates against car and truck drivers because it fails to provide an effective way to identify and cite motorcycle and moped red light violators. Both of which are also motor vehicles. If safety is the true intention of this Bill, then this Committee should be consistent and apply it equally to all motor vehicles.

For justice sake, this Committee needs to determine who is legally at fault for causing each roadway crossing fatality before blindly blaming the vehicle drivers. How many fatalities are actually related to drivers running the red light at intersections? The public needs to know the truth that will also help lawmakers make an informed decision.

EXPLANATION:

This Bill tries to gain emotional support and confuse citizens into thinking the offenses of running the red lights at intersections are related to news reports that commonly describe hit-and-run drivers who run over small children or the elderly, when in fact news reports prove pedestrian casualties are happening outside the intersections and in too many cases outside the crosswalks when pedestrians jaywalk.

Pedestrians crossing in crosswalks also cause accidents when they fail to look out for vehicles like drivers have to look out for them.

This Bill attacks car and truck drivers while excusing pedestrians who carelessly cross roadways and cause accidents. Too many pedestrians are ignorant of the law or believe, by law, they always have the right of way no matter what. Their carelessness place themselves and drivers in harms way and is a formula for disaster. The innocent drivers and their families also suffer when accidents occur.

Contrary to this Bill, red light cameras were not found to be beneficial in all jurisdictions in the United States.

Be forewarned that this Bill will increase rear end collisions at intersections. Large trucks may lose their loads and fishtail into other vehicles when drivers panic stop in fear and paranoia of photo cameras.

Hawaii drivers do not drive like drivers in other jurisdictions, therefore, do not deserve to be treated in the same manner. We want to keep Hawaii a very special place without becoming photo targets and unwilling benefactors.

Public beware this Bill is not a means to an end but will open a Pandora's box with growing negativity infringing on our rights to privacy and lead Hawaii down a dangerous path of eroding civil liberties.

If you truly want to make a positive difference in the eyes of drivers, provide for additional police officers who can once again maintain a meaningful presence on our highways and at intersections. Police presence fosters a mind sticking law abiding consciousness that will never be achieved with cameras.

Police officers can enforce immediate driver and vehicle laws that cameras cannot.

Government will solve nothing by squandering our hard earned monies on this unpopular project that will meaningfully increase the stresses of today's drivers who are already on edge trying to cope with Oahu's increasingly overcrowded roadways.

SUGGESTIONS -- Alternative rather than imposing this Bill:

1. Create bills that will require the City and State transportation agencies to adequately increase the timing of yellow lights at all various types of intersections to allow all lengths of vehicles covered under the commercial driver's license entering intersections on the yellow caution light to exit without being cited under all conditions of traffic. Doing so may be the magic solution to all our intersection's woes without the use of cameras.

2. In lieu of intersection photo cameras, create bills that will require the State and City to restripe all crosswalks, and post signs indicating crosswalks. Add mid city block crosswalks. Build pedestrian overpasses at

accident prone areas or install pedestrian activated stoplight crosswalks especially around schools and accident prone areas.

3. Provide that a violation for which a civil penalty is imposed under this Bill be treated the same as a seat belt and child restraint violation to prevent insurance companies raising premiums.

Consider that if insurance premiums go up, drivers will drive without insurance.

4. In lieu of photo imaging, we suggest creating a part time police unit dedicated to highway and intersection safety with the following considerations:

- A. Utilize our already trained volunteer police officers.
- B. Hours of work not to exceed part time status.
- C. Duties will be confined to maintaining roadway and intersection safety.

There is no Aloha spirit in photo traffic enforcement.

We look forward to your support.

Thank you.



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March 3, 2009

To: Representative Marcus R. Oshiro, Chair – House Committee on Finance;
Representative Marilyn B. Lee, Vice Chair; and members of the Committee

From: Arkie Koehl, Chairman – Public Policy Committee, MADD-Hawaii

Re: House Bill 145 HD 1 – Relating to Highway Safety

I am Arkie Koehl, speaking in support of House Bill 145 HD 1 on behalf of the membership of MADD-Hawaii.

Being vitally interested in highway safety, the members of MADD-Hawaii endorse measures to protect our citizens by making enforcement of traffic laws more effective. Sometimes, as with cameras to detect red light running, such measures are not directly related to MADD's positions on impaired driving. Nevertheless, we believe that a disproportionate number of traffic light violators are likely to be impaired, making our support for their citation a logical expression of MADD's goal to prevent drunk driving.

We encourage the committee to pass this measure.

Thank you for the opportunity to testify.