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DEPARTMENT OF BUDGET AND FINANCE
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY
TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON TRANSPORTATION
ON
HOUSE BILL NO. 2267

**February 1, 2024
10:00 a.m.
Room 312 and Videoconference**

RELATING TO HIGHWAY SAFETY

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill (H.B.) No. 2267 adds a new chapter to Title 17, HRS, entitled “Automated Speed Enforcement Systems” to establish an automated speed enforcement program to help improve the enforcement of speeding laws.

The automated speed enforcement program may be implemented by the State or county, on State or county highways within each respective county. The State shall establish and implement an automated speed enforcement program imposing monetary liability on the registered owner of a motor vehicle for failure to comply with the speed limit. The State or any county may provide for the: 1) procurement, location, and oversight of an automated speed enforcement system; and 2) installation, operation, maintenance, and repair of the automated speed enforcement system through a third-party contractor. The automated speed enforcement system equipment shall be operated from a fixed pole, post, or other fixed structure on a State or county highway.

Beginning on January 1, 2025, any motor vehicle in violation of the posted speed limit determined by the automated speed enforcement system, shall be issued a summons or citation to be sent by first class mail that is postmarked within ten calendar days after the date of the incident to the registered owner of the motor vehicle.

This bill creates a new offense of noncompliance with the posted speed limit under the automated speed enforcement system and imposes fines based on the amount of speed exceeding the speed limit. All fines collected under the automated speed enforcement system shall be deposited into the automated speed enforcement system program special fund (ASESPSF).

This bill establishes the ASESPSF, to be administered by the Department of Transportation (DOT), into which shall be deposited all fines collected pursuant to this chapter. All proceeds of fines shall be expended by DOT in the county from which the fine was imposed for the establishment, implementation, operation, oversight, management, repair, and maintenance of an automated speed enforcement system. This bill appropriates an unspecified amount of general funds to be deposited into the ASESPSF for FY 25; and appropriates an unspecified amount of special funds from the ASESPSF for FY 25 for the establishment and implementation of the automated speed enforcement program.

As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should:

- 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process;
- 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue;

- 3) provide an appropriate means of financing for the program or activity; and
- 4) demonstrate the capacity to be financially self-sustaining. Regarding H.B. No. 2267, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.



The Judiciary, State of Hawai'i

Testimony to the Thirty-Second State Legislature, 2024 Regular Session

House Committee on Transportation
Representative Chris Todd, Chair
Representative Darius K. Kila, Vice Chair

Thursday, February 1, 2024, 10:00 a.m.
Conference Room 312 & Via Videoconference

By:

Michelle D. Acosta
Deputy Chief Court Administrator
Court Operations and Court Services, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 2267 – Relating to Highway Safety

Purpose: Establishes the Automated Speed Enforcement Systems Program. Authorizes the state or counties to administer the Automated Speed Enforcement Systems Program. Requires fines collected beginning 1/1/2025 for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program. Creates a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System. Appropriates funds.

Judiciary's Position:

The Judiciary respectively provides the following comments but takes no position as to the intent of this measure.

The Judiciary is concerned that a commencement date of January 1, 2025 would be challenging based on the scope of the program. The Judiciary will need ample time to coordinate with the Department of Transportation and the selected vendor to ensure that the

vendor is able to provide the necessary infrastructure and support for a program of this size. The Judiciary would request a commencement date in 2026.

As the measure would allow the automated speed cameras to be installed statewide, the Judiciary will need to increase staffing to the courts in the counties that opt to install speed cameras on their respective highways. Many of the district courts are understaffed and an increase in staffing will be necessary to process the citations, payments, written statements and scheduling of trial dates for those motorists wanting a trial.

The Judiciary anticipates funding will be needed for the Judiciary Information Management System (JIMS) for the creation of new codes, testing, and additional software licensing.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



TESTIMONY BY:
EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO

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

February 1, 2024
10:00 a.m.
State Capitol, Room 312

H.B. 2267
RELATING TO HIGHWAY SAFETY

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **supports** H.B. 2267, which establishes the Automated Speed Enforcement Systems Program. Authorizes the state or counties to administer the Automated Speed Enforcement Systems Program. Requires fines collected beginning January 1, 2025, for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program. Creates a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System. Appropriates funds.

Speeding has always been one of the top contributing factors in motor vehicle fatalities for the past decade. This program is necessary to reduce these senseless deaths and injuries on Hawaii's roadways. In 2023, there were 95 motor vehicle fatalities, speeding was a major contributing factor in half of those fatalities.

As the photo red light imaging detector system pilot project has shown, automated enforcement cameras are a powerful tool that can bring about positive change to driving behaviors.

We respectfully suggest including the following language:

- Section 7 - To extend the lapse date of the FY 25 appropriation to June 30, 2026.
- Section 1, Section XX - To provide a FY 24 emergency appropriation of \$230,000 for the 10 radar devices and consultant.

To provide the HDOT funding flexibility in establishing and implementing the program, recommend amending the bill to include the following as underscored:

PART I

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of the article VII of the Constitution of the State of Hawaii.

The legislature finds that the prevalence of drivers who violate Hawaii's traffic laws is intolerable, particularly drivers who speed. This dangerous behavior puts the lives of all of Hawaii's roadway users at risk. According to state traffic data, speeding continues to

be the most common contributing factor in motor vehicle fatalities. Data from the department of transportation shows that speeding contributed to almost fifty per cent of all motor vehicle fatalities.

Automated speed enforcement cameras are powerful tools that can reduce motor vehicle crashes and fatalities by augmenting traditional enforcement efforts or enforcing in locations where traffic stops are impractical or unsafe.

The purpose of this Act is to establish an automated speed enforcement program to improve enforcement of speeding laws.

PART IV

SECTION 7. There is appropriated out of the automated speed enforcement systems program special fund the sum of \$ or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment and implementation of the automated speed enforcement systems program; provided further that the funds appropriated shall not lapse at the end of the fiscal year for which it was appropriated, but any unencumbered funds remaining shall lapse on June 30, 2026. The sum appropriated shall be expended by the department of transportation for the purposes of this Act.

SECTION XX. There is appropriated out of the general revenues of the State of Hawaii the sum of \$230,000 or so much thereof as may be necessary for fiscal year 2023-2024 to be deposited into the automated speed enforcement systems program special fund.

SECTION XX. There is appropriated out of the automated speed enforcement systems program special fund the sum of \$230,000 or so much thereof as may be necessary for fiscal year 2023-2024 for the establishment and implementation of the automated speed enforcement systems program; provided further that the funds appropriated shall not lapse at the end of the fiscal year for which it was appropriated, but any unencumbered funds remaining shall lapse on June 30, 2025. The sum appropriated shall be expended by the department of transportation for the purposes of this Act.

Thank you for the opportunity to provide testimony.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

February 1, 2024

TESTIMONY TO THE HOUSE COMMITTEE ON TRANSPORTATION

House Bill 2267 – Relating to Highway Safety

The Disability and Communication Access Board (DCAB) supports House Bill 2267 – Relating to Highway Safety.

This bill would establish the Automated Speed Enforcement Program and authorize the State or counties to administer it.

Vehicles that speed pose a danger for all pedestrians, but especially for pedestrians with certain disabilities. Persons who use wheelchairs and other mobility devices and persons of short stature are lower to the ground and are therefore less visible to drivers looking over the hood of their vehicles. Blind pedestrians rely on audio cues from traffic control devices and are unlikely to be able to take actions to avoid a car. In addition, pedestrians with a mobility disability – such as persons with arthritis, vascular and orthopedic conditions – may not have the agility or reflexive speed to get out of the way of an approaching vehicle.

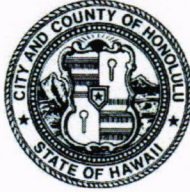
Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET • HONOLULU, HAWAI'I 96813
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RICK BLANGIARDI
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ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **ST-TK**

February 1, 2024

The Honorable Chris Todd, Chair
and Members
Committee on Transportation
House of Representatives
415 South Beretania Street, Room 312
Honolulu, Hawai'i 96813

Dear Chair Todd and Members:

SUBJECT: House Bill No. 2267, Relating Highway Safety

I am Stason Tanaka, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2267, Relating Highway Safety.


The HPD supports measures that address the enforcement of speeding vehicles. Higher vehicle speeds equate to less reactionary time, as well as a higher propensity for property damages and injuries. In addition, speeding is a major contributing factor to many motor vehicle collisions resulting in critical injuries and fatalities.

The HPD urges you to support House Bill No. 2267, Relating Highway Safety.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,



Arthur J. Logan
Chief of Police


Stason Tanaka, Major
Traffic Division



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

LATE

January 31, 2024

The Honorable Chris Todd, Chair
The Honorable Darius Kila, Vice Chair
House Committee on Transportation
Hawaii State Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Todd and Vice Chair Kila:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, supports enactment of House Bill (HB) 2267/Senate Bill (SB) 2443. This legislation would authorize the state and its counties to utilize automated speed enforcement (ASE) on state and county highways. We urge you to advance HB 2267/SB 2443 to implement this proven, lifesaving technology to curb speeding and the deadly consequences.

No state suffers more from speeding-related traffic fatalities than Hawaii. In 2021, there were 94 fatalities on Hawaii's roads, and nearly half involved speeding.ⁱ To put this in perspective, speeding was a factor in 29 percent of U.S. motor vehicle fatalities in 2021,ⁱⁱ and no other state is close to the Aloha State's 48 percent.ⁱⁱⁱ In addition, Hawaii incurred \$580 million in economic harm, which is equivalent to \$404 per resident, due to motor vehicle crashes according to a 2019 analysis.^{iv} Traffic safety is a serious and costly issue in urgent need of proven solutions.

Small increases in speed cause serious declines in safety. Crash tests show that speed upticks of even five to ten miles-per-hour (mph) greatly escalate a driver's risk of injury or death.^v Speed increases also immensely impact pedestrians and other vulnerable road users (VRUs). The average risk of death for a pedestrian is 10 percent at an impact speed of 23 mph, 25 percent at 32 mph, and 50 percent at 42 mph.^{vi} Further, drivers who speed have been shown to exhibit additional deadly driving behaviors; more than half (51 percent) of speeding passenger vehicle drivers in fatal crashes were unbuckled, compared to 23 percent of non-speeding drivers.^{vii}

Speed safety cameras are proven to deter speeding and its impact and are recommended for state and local adoption by the National Transportation Safety Board (NTSB) and the Federal Highway Administration (FHWA), among others.^{viii} A study by the Insurance Institute for Highway Safety (IIHS) found that speed safety cameras alone resulted in a 19 percent reduction in the likelihood that a crash caused a fatal or incapacitating injury.^{ix} Similarly, the U.S. Department of Transportation (DOT) found that ASE reduces fatalities and injuries by 20-37 percent and is particularly effective in school and construction zones.^x

Law enforcement risk their lives when performing their duties on the roadways every day, and it is implausible for law enforcement officers to be everywhere and catch every violation. ASE augments traditional enforcement without requiring a traffic stop.

Advocates urges you to advance HB 2267/SB 2443 to employ speed safety cameras to save lives. Thank you for your time and consideration.

Sincerely,



Catherine Chase
President

cc: Transportation Committee members

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- ⁱ State Traffic Safety Information for Hawaii (2021), NHSTA, available at <https://cdan.dot.gov/stsi.htm>.
 - ⁱⁱ NHTSA. (2023). Overview of Motor Vehicle Crashes in 2021. U.S. Department of Transportation, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813435>.
 - ⁱⁱⁱ Traffic Safety Facts: 2021 Data, Speeding, NHTSA, July 2023, DOT HS 813 473, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813473>.
 - ^{iv} The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
 - ^v Impact of Speeds on Drivers and Vehicles – Results from Crash Tests, AAA Foundation for Safety, Humanetics, and IIHS, Jan. 2021, available at <https://www.iihs.org/api/datastore/document/bibliography/2218>.
 - ^{vi} Impact Speed and a Pedestrian’s Risk of Severe Injury or Death, AAA Foundation for Traffic Safety, Sep. 2011., available at <https://aaafoundation.org/wp-content/uploads/2018/02/2011PedestrianRiskVsSpeedReport.pdf>.
 - ^{vii} Traffic Safety Facts 2021 Data: Speeding, NHTSA, Jul. 2023, DOT HS 813 473, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813473>.
 - ^{viii} Reducing Speeding-Related Crashes Involving Passenger Vehicles, NTSB, July 2017, SS-17-01, available at <https://www.nts.gov/safety/safety-studies/Documents/SS1701.pdf>.
 - ^{ix} Effects of Automated Speed Enforcement in Montgomery County Maryland on Vehicle Speeds, Public Opinion and Crashes, IIHS, August; available at <https://www.iihs.org/topics/bibliography/ref/2097>.
 - ^x Speed Safety Camera Program Planning and Operations Guide, Federal Highway Administration, January 2023, available at [Speed Safety Camera Program Planning and Operations Guide](#).