



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 12, 2024
3:01 p.m.
State Capitol, Room 225

S.B. 2443
RELATING TO HIGHWAY SAFETY

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

The Hawaii Department of Transportation (HDOT) **supports S.B. 2443**, 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 red-light photo imaging pilot project has shown, automated enforcement cameras are a powerful tool that can bring about positive change driving behaviors.

Suggest to include 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. 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 highway safety fund 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. 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.



The Judiciary, State of Hawai‘i

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

Senate Committee on Transportation and Culture and the Arts

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

Senate Committee on Public Safety and Intergovernmental and Military Affairs

Senator Glenn Wakai, Chair

Senator Brandon J. C. Elefante, Vice Chair

Monday, February 12, 2024, 3:01 p.m.
Conference Room 225 & Via Videoconference

By:

Michelle D. Acosta

Deputy Chief Court Administrator

Court Operations and Court Services, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2443 – 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 respectfully provides the following comments but takes no position as to the intent of this measure.

The Judiciary is concerned that an implementation date of January 1, 2025 would be challenging based on the scope of the program. The Judiciary will need ample time to coordinate

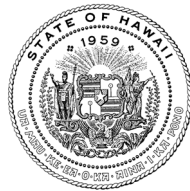
Testimony for SB2443, Relating to Highway Safety
Senate Committee on Public Safety & Intergovernmental and Affairs
Senate Committee on Transportation and Culture and the Arts
February 12, 2024, 3:01 p.m.
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with the Department of Transportation and the selected vendor to ensure that the vendor is able to provide the necessary infrastructure and support for a program of this size.

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 system modifications, testing, and additional software licensing.

Thank you for the opportunity to testify on this measure.



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

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 SENATE COMMITTEES ON PUBLIC SAFETY AND INTERGOVERNMENTAL
AND MILITARY AFFAIRS AND TRANSPORTATION AND CULTURE AND THE ARTS
ON
SENATE BILL NO. 2443

February 12, 2024
3:01 p.m.
Room 225 and Videoconference

RELATING TO HIGHWAY SAFETY

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

Senate Bill (S.B.) No. 2443 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 S.B. No. 2443, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.

State of Hawai‘i
The Office of the Public Defender

S.B. No. 2443: RELATING TO HIGHWAY SAFETY

Chair Glenn Wakai
Vice Chair Brandon J. C. Elefante
Honorable Committee Members

Chair Chris Lee
Vice Chair Lorraine R. Inouye
Honorable Committee Members

The Office of the Public Defender **OPPOSES** this bill.

Replacing officers with discretion to cite speeding motorists with an automated system that will cite every driver going over the speed limit no matter how slight and without exception is detrimental to the general public. While ensuring motorists are going at a safe speed in compliance with the law, the “flow of traffic” sometimes allows them to travel over the speed limit in a safe way. For example, a police officer stationed in a 35-mile-per-hour zone may decide not to pull over a driver going 38 m.p.h. but may issue a citation for someone going 50 m.p.h. In another scenario, a driver going 38 m.p.h. with a lot of other vehicles on the road may warrant the same type of citation.

Moreover, by making the “motor vehicle” strictly liable as opposed to the offending motorist, registered owners who let family members or friends use the vehicle become liable. This is unfair to the motorist—especially for families with limited incomes who have to share a vehicle to go to work, commute to school, or run errands.



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 12, 2024

LATE

TESTIMONY TO THE SENATE COMMITTEES ON TRANSPORTATION AND CULTURE AND THE ARTS, AND PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senate Bill 2443 – Relating to Highway Safety

The Disability and Communication Access Board (DCAB) supports Senate Bill 2443 – 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

DEPARTMENT OF TRANSPORTATION SERVICES
KA 'OIHANA LAWELAWE 'ŌHUA
CITY AND COUNTY OF HONOLULU

711 KAPI'OLANI BOULEVARD, SUITE 1600 • HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Website: honolulu.gov/transportation

RICK BLANGIARDI
MAYOR
MEIA



J. ROGER MORTON
DIRECTOR
PO'O

JON Y. NOUCHI
DEPUTY DIRECTOR
HOPE PO'O

TESTIMONY OF J. ROGER MORTON
DIRECTOR OF TRANSPORTATION SERVICES

BEFORE THE SENATE COMMITTEES ON
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS
AND TRANSPORTATION AND CULTURE AND THE ARTS
Monday, February 12, 2024, 3:01 PM, Via Videoconference

TO: Sen. Glenn Wakai, Chair, Sen. Brandon J.C. Elefante, Vice Chair, and Members of the Committee on Public Safety and Intergovernmental and Military Affairs
Sen. Chris Lee, Chair, and Sen. Lorraine R. Inouye, Vice Chair, and Members of the Committee on Transportation and Culture and the Arts

RE: SUPPORT OF SENATE BILL 2443, RELATING TO HIGHWAY SAFETY

The Department of Transportation Services (DTS) of the City and County of Honolulu supports Senate Bill 2443, relating to highway safety and provides the following comments.

DTS strongly supports the bill's intent to establish an Automated Speed Enforcement Systems Program and authorize the State and counties to administer the program.

DTS is committed to ending traffic fatalities and serious injuries on O'ahu. Addressing speeding is critical to accomplishing this goal. Excessive speed was a contributing factor in the deaths of at least 102 people on O'ahu (or 32% of all traffic fatalities) O'ahu in the period from 2015 through 2020, per police crash reports - a statistic many acknowledge to be underreported. The Federal Highway Administration emphasizes the basics of physics and kinetic energy, namely the exponential relationship between the speed at which a crash occurs and the likelihood of survival. This relationship is particularly acute for the most vulnerable users of our transportation system: kūpuna, people walking, and those from low-income communities.

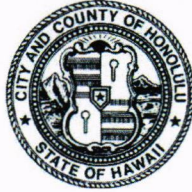
Automated Speed Enforcement System Programs are proven safety countermeasures to speed related fatalities. The National Transportation Safety Board, in providing summary studies on Automated Speed Enforcement System Programs, found that Automated Speed Enforcement System Programs have been applied in many locations around the United States and internationally, and have significantly reduced the number of fatalities and serious injuries.

Thank you for the opportunity to submit this testimony in support with comments.

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET • HONOLULU, HAWAI'I 96813
TELEPHONE: (808) 529-3111 • WEBSITE: honolulu.pd.org

LATE

RICK BLANGIARDI
MAYOR
MEIA



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 12, 2024

The Honorable Glenn Wakai, Chair
and Members
Committee on Public Safety
and Intergovernmental
and Military Affairs
The Honorable Chris Lee, Chair
and Members
Committee on Transportation
and Culture and the Arts
State Senate
415 South Beretania Street, Room 225
Honolulu, Hawai'i 96813

Dear Chairs Wakai and Lee and Members:

SUBJECT: Senate Bill No. 2443, Relating to 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 Senate Bill No. 2443, 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 Honorable Glenn Wakai, Chair
and Members
The Honorable Chris Lee, Chair
and Members
February 12, 2024
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The HPD urges you to support Senate Bill No. 2443, Relating to Highway Safety.

Thank you for the opportunity to testify.

Sincerely,



Stason Tanaka, Major
Traffic Division

APPROVED:



Arthur J. Logan
Chief of Police

SB-2443

Submitted on: 2/10/2024 2:11:51 PM

Testimony for TCA on 2/12/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I stand in opposition of HB2267.

An automated speed enforcement system would not have any discretion of a person going 2-3 mph over the speed limit vs. someone who is going 15-20 mph over the speed limit. While I do not condone speeding, there are justified reasons why someone may be going over the speed limit, such as a bad driver tailing closely behind them, or some other dangerous situation they are trying to avoid. These situations would never be considered by the automated system, while a police officer would have the discretion and decide whether to an issue a ticket or not.

I fully agree with an automated system that provides tickets to someone who is going well over the speed limit and creating a dangerous situation, but that is very situational and is hard to codify into a bill/law.

Mahalo for your time and consideration.

Keoni Shizuma

LATE

SB-2443

Submitted on: 2/11/2024 4:39:51 PM

Testimony for TCA on 2/12/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
TIM REIMER	Individual	Oppose	Written Testimony Only

Comments:

This is another money stealing Bill. If this passes, are you going to suggest reducing HPD Officers ? It seems, you legislators get paid in one month what many of us earn in a year but you get paid, to introduce bills, to push us into more poverty . People , aren't able to pay their bills now, causing family stress, workplace stress, road rage and sometimes ending with people loosing their lives. You mentioned Kaukanahua Road for installation of these cams, but you don't witness long lines of traffic , stuck behind a lost tourist ,driving 20 miles per hour . If we pass , the car, your illegal cams, will have us receiving a speeding ticket , shortly after. I, vote no and testimony shows exactly why..

LATE

SB-2443

Submitted on: 2/12/2024 8:50:12 AM

Testimony for TCA on 2/12/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Ferreira	Individual	Support	Written Testimony Only

Comments:

Aloha,

This was an idea that was implemented a few years ago and I thought was a good one. The uproar of people who thought it should be police officers who issue speeding tickets along with suspicion that the vendor was being compensated from commissions rather than tax payer money ended up killing the program. The police cannot be everywhere at all times and the department is short traffic officers. This would be a way to put everyone on notice that they may be ticketed for speeding and not just when an officer is present. The fact it won't spend tax payer money is a bonus. Too many accidents are caused by people speeding and inattentive driving, including not paying attention to their speed. Support.

Michael Ferreira

Makakilo