

STAND. COM. REP. NO.

1376

Honolulu, Hawaii

MAR 19

, 2025

RE: S.B. No. 97
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Transportation, to which was referred S.B. No. 97, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the penalty for a third or subsequent offense of excessive speeding to a class C felony and a sentence of an indeterminate term of imprisonment of five years;
- (2) Authorize the court, as part of the person's sentencing for the third or subsequent offense, to order that the vehicle be subject to forfeiture; and
- (3) Require a repeat offender convicted of a class C felony for excessive speeding be subject to identification processing.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Law Enforcement; Hawai'i Police Department; Honolulu Police Department; Oahu Metropolitan Planning Organization; AAA Hawai'i; and one individual. Your Committee received testimony in opposition to

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this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that excessive speeding presents a significant threat to public safety, contributing to severe accidents, injuries, and fatalities on Hawaii's roads. Your Committee further finds that a 2011 study conducted by the AAA Foundation for Traffic Safety found that the average risk of death for a pedestrian reaches fifty percent at an impact speed of forty-two miles per hour, seventy-five percent at fifty miles per hour, and ninety percent at fifty-eight miles per hour. These alarming statistics do not even consider variables such as age which would likely result in higher fatality rates for the most vulnerable populations. By enhancing the penalty for repeat offenders to a felony offense and the possibility of forfeiture of the vehicle, this measure aims to deter dangerous driving behaviors and promote greater accountability among motorists.

Your Committee has amended this measure by:

- (1) Clarifying penalties for noncompliance with the maximum speed limit under an automated speed enforcement system and specifying that any summons or citations resulting from noncompliance shall not be recorded on a person's traffic abstract and used for insurance purposes;
- (2) Clarifying language relating to summons and citations issued under the Automated Speed Enforcement Systems Program;
- (3) Requiring a person who was convicted of certain traffic offenses or granted a deferred acceptance of a guilty or nolo contendere plea or a conditional discharge of the offense to be ordered by the court to report for identification processing;
- (4) Changing the effective date to July 1, 2025; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your



Committee is in accord with the intent and purpose of S.B. No. 97, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 97, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



DARIUS KILA, Chair



