
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 291L-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

"Reviewing entity" means a county police department or authorized employee of the department of law enforcement."

SECTION 2. Section 291L-4, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Proof of a violation of section 291C-108 shall be evidenced by information obtained from an automated speed enforcement system authorized pursuant to this chapter. A certificate, sworn to or affirmed by the reviewing ~~[county police department,~~] entity, or a facsimile thereof, based upon inspection of any clear and unobstructed photographs, microphotographs, video, or other recorded images produced by the system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, video, or other



1 recorded images shall be available for inspection in any
2 proceeding to adjudicate the liability for that violation."

3 SECTION 3. Section 291L-5, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) Notwithstanding any law to the contrary and except as
7 otherwise provided in this chapter, beginning January 1, 2025,
8 whenever any motor vehicle is determined, by means of an
9 automated speed enforcement system, to have exceeded the posted
10 maximum speed limit by not less than [~~five~~] seven miles per hour
11 in violation of section 291C-108, the State's third-party
12 contractor shall cause a summons or citation, as described in
13 this section, to be sent by first-class mail, that is postmarked
14 within ten calendar days after the date of the incident, to the
15 registered owner of the motor vehicle at the address on record
16 at the vehicle licensing division. If the end of the ten-
17 calendar-day period falls on a Saturday, Sunday, or holiday,
18 then the ending period shall run until the end of the next day
19 that is not a Saturday, Sunday, or holiday. The registered
20 owner shall be determined by the identification of the motor
21 vehicle license plate."



1 2. By amending subsection (d) to read:

2 "(d) Before mailing the summons or citation for a traffic
3 infraction pursuant to subsection (a), the [~~applicable county~~
4 ~~police department~~] reviewing entity shall review and verify the
5 validity of the clear and unobstructed photographic, digital, or
6 other visual image of the license plate of the motor vehicle
7 required under this section."

8 SECTION 4. There is appropriated out of the state highway
9 fund the sum of \$ or so much thereof as may be
10 necessary for fiscal year 2025-2026 and the same sum or so much
11 thereof as may be necessary for fiscal year 2026-2027 for the
12 establishment and implementation of the automated speed
13 enforcement systems program.

14 The sums appropriated shall be expended by the department
15 of transportation for the purposes of this Act.

16 SECTION 5. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

DLE; DOT; Automated Speed Enforcement Systems; Violations;
Evidence; State Highway Fund; Appropriations

Description:

Allows authorized employees of the Department of Law Enforcement, in addition to county police departments, to perform certain actions in reviewing recorded images produced by automated speed enforcement systems. Appropriates funds from the State Highway Fund to the Department of Transportation to establish and implement the Automated Speed Enforcement Systems Program. Effective 7/1/3000. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

