

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

PART I

SECTION 1. Chapter 437, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§437- Passive intelligent speed assistance systems; required for new motor vehicles. (a) Beginning with the 2030 model year, every passenger vehicle sold as a new motor vehicle, or leased as a new motor vehicle, in the State shall be equipped with a passive intelligent speed assistance system.

(b) A passive intelligent speed assistance system shall be capable of being fully disabled by the manufacturer or a new motor vehicle dealer if the passenger vehicle is purchased, sold, or used as an authorized emergency vehicle.

(c) Nothing in this section shall be construed to preclude a manufacturer from implementing any of the following:



1 (1) Providing alternative types of feedback to the driver,
2 including but not limited to vibrations or pedal
3 resistance;

4 (2) Providing repetitive, successive, or ongoing warnings
5 each time a vehicle exceeds the speed threshold as
6 described in subsection (e);

7 (3) Providing additional warnings or feedback to the
8 driver in either of the following circumstances:

9 (A) The driver is traveling at a threshold lower than
10 ten miles per hour above the speed limit; or

11 (B) The driver is traveling at a threshold greater
12 than ten miles per hour above the speed limit; or

13 (4) Adding supplemental or additional warnings that differ
14 from the system requirement described in subsection
15 (e).

16 (d) This section does not apply to motorcycles.

17 (e) For purposes of this section:

18 "Authorized emergency vehicle" has the same meaning as in
19 section 291C-1.

20 "Passive intelligent speed assistance system" means an
21 integrated vehicle system that determines the speed limit of the



roadway that the vehicle is traveling on, and utilizes a brief,
one-time visual and audio signal to alert the driver each time
the driver exceeds the speed limit by more than ten miles per
hour. If an intelligent speed assistance system receives
conflicting speed limits for the same area, the system shall
utilize the higher speed limit."

PART II

SECTION 2. Chapter 286, Hawaii Revised Statutes, is
amended by adding a new section to part I to be appropriately
designated and to read as follows:

"§286- Active intelligent speed assistance systems.

(a) The director shall establish and administer a statewide
program relating to certification and monitoring of active
intelligent speed assistance systems installed pursuant to
chapter 291C and shall select a single vendor to install and
maintain those systems.

(b) The program shall include standards and procedures for
the certification of active intelligent speed assistance systems
installed pursuant to chapter 291C. The program shall, at a
minimum, require that the systems:

(1) Do not impede the safe operation of the motor vehicle;



- 1 (2) Minimize opportunities to be bypassed, circumvented,
2 or tampered with, and provide evidence that the system
3 has not been bypassed, circumvented, or tampered with;
- 4 (3) Work accurately and reliably in an unsupervised
5 environment;
- 6 (4) Have the capability to provide an accurate measure of
7 speed and record each attempt to bypass, circumvent,
8 or tamper with the active intelligent speed assistance
9 systems;
- 10 (5) Minimize inconvenience to other users of the motor
11 vehicle;
- 12 (6) Be manufactured or distributed by the vendor that is
13 responsible for the installation, user training,
14 service, and maintenance of the active intelligent
15 speed assistance systems;
- 16 (7) Operate reliably over the range of motor vehicle
17 environments or motor vehicle manufacturing standards;
- 18 (8) Be manufactured by an entity that is adequately
19 insured against liability, in an amount established by
20 the director, including product liability and



1 liability against installation and maintenance errors;

2 and

3 (9) Provide for an electronic log of a driver's experience

4 with an active intelligent speed assistance system

5 with an information management system capable of

6 electronically delivering information to the

7 department of transportation within twenty-four hours

8 of the collection of the information from the data

9 logger.

10 (c) The vendor selected for installation and maintenance

11 of the active intelligent speed assistance systems shall be

12 audited annually by the department of transportation pursuant to

13 this section and the rules adopted under this section. The

14 department of transportation may require the vendor to pay for

15 all or part of the costs incurred in conducting the audit.

16 (d) The director of transportation shall adopt rules

17 pursuant to chapter 91 necessary for the purposes of this

18 section.

19 (e) For purposes of this section, "active intelligent

20 speed assistance system" has the same meaning as in section

21 291C-1."



SECTION 3. Chapter 710, Hawaii Revised Statutes, is amended by adding a new section to part II to be appropriately designated and to read as follows:

"§710- Circumvention of, or tampering with, an active intelligent speed assistance system. (1) A person commits the offense of circumvention of, or tampering with, an active intelligent speed assistance system if the person knowingly circumvents or tampers with an active intelligent speed assistance system installed on a motor vehicle pursuant to chapter 291C.

(2) Circumvention of, or tampering with, an active intelligent speed assistance system is a misdemeanor.

(3) For purposes of this section, "active intelligent speed assistance system" has the same meaning as in section 291C-1."

SECTION 4. Section 286-132, Hawaii Revised Statutes, is amended to read as follows:

"§286-132 Driving while license suspended or revoked.
Except as provided in ~~[section]~~ sections 291C-103, 291C-105, and 291E-62, no resident or nonresident whose driver's license, right, or privilege to operate a motor vehicle in this State has



1 been canceled, suspended, or revoked may drive any motor vehicle
2 upon the highways of this State while the license, right, or
3 privilege remains canceled, suspended, or revoked."

4 SECTION 5. Section 291C-1, Hawaii Revised Statutes, is
5 amended by adding a new definition to be appropriately inserted
6 and to read as follows:

7 "Active intelligent speed assistance system" means a
8 system that limits the speed at which a motor vehicle is capable
9 of traveling based on the applicable speed limit where the motor
10 vehicle is being operated."

11 SECTION 6. Section 291C-102, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§291C-102 Noncompliance with speed limit prohibited. (a)**

14 A person violates this section if the person drives:

15 (1) A motor vehicle at a speed greater than the maximum
16 speed limit other than provided in section 291C-105;
17 or

18 (2) A motor vehicle at a speed less than the minimum speed
19 limit,



1 where the maximum or minimum speed limit is established by
2 county ordinance or by official signs placed by the director of
3 transportation on highways under the director's jurisdiction.

4 (b) If the maximum speed limit is exceeded by more than
5 ten miles per hour, a surcharge of \$10 shall be imposed, in
6 addition to any other penalties, and shall be deposited into the
7 neurotrauma special fund.

8 (c) For a violation that occurs within five years
9 of prior violations of this section, the court may impose a
10 requirement that the person install active intelligent speed
11 assistance systems on all vehicles operated by the person for a
12 period determined by the court and at the expense of the
13 person."

14 SECTION 7. Section 291C-103, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§291C-103 Racing on highways.** (a) Except as provided in
17 section 291C-149, no person shall drive any vehicle in any race,
18 speed competition or contest, drag race or acceleration contest,
19 test of physical endurance, exhibition of speed or acceleration,
20 or for the purpose of making a speed record, and no person shall



1 in any manner participate in any race, competition, contest,
2 test, or exhibition prohibited by this section.

3 (b) Any person who violates this section, except in the
4 case of an exhibition of speed or acceleration, shall be fined
5 ~~[not]~~ no more than \$500 or imprisoned ~~[not]~~ no more than six
6 months, or both. Any person who violates this section by way of
7 an exhibition of speed or acceleration shall be fined ~~[not]~~ no
8 more than \$500 or be sentenced to perform community service, or
9 both.

10 (c) Any person who violates this section while operating a
11 vehicle at a speed exceeding the posted speed limit by thirty
12 miles per hour or more shall be subject to a fine of ~~[not]~~ no
13 more than \$2,000, a term of imprisonment of ~~[not]~~ no more than
14 one year, or both; provided that the following additional
15 penalties shall also apply:

16 (1) For an offense that occurs within five years of a
17 prior conviction~~[, a]~~:

18 (A) A one-year license suspension;

19 (B) Installation during the suspension period of
20 active intelligent speed assistance systems on
21 all vehicles operated by the person; and



1 (C) At the court's discretion, the imposition of a
2 requirement that the person install active
3 intelligent speed assistance systems on all
4 vehicles operated by the person for a period
5 beyond the suspension period determined by the
6 court;

7 (2) For an offense that occurs within five years of two
8 prior convictions:

9 (A) A three-year license suspension; ~~[and]~~

10 (B) Installation during the suspension period of
11 active intelligent speed assistance systems on
12 all vehicles operated by the person;

13 (C) At the court's discretion, the imposition of a
14 requirement that the person install active
15 intelligent speed assistance systems on all
16 vehicles operated by the person for a period
17 beyond the suspension period determined by the
18 court; and

19 ~~[(B)]~~ (D) A vehicle owned by the defendant and used in
20 the commission of the offense which has been used
21 in at least two prior offenses that resulted in



convictions may be ordered by the court to be

subject to forfeiture under chapter 712A; ~~and~~

(3) For all offenses under this section, a surcharge of up to \$100 may be deposited in the trauma system special fund if the court so orders~~[-]~~; and

(4) If the person demonstrates to the court that the person:

(A) Does not own or have the use of a vehicle in which the person can install an active intelligent speed assistance system during the suspension period; or

(B) Is otherwise unable to drive during the suspension period,

the person shall be prohibited from driving during the period of applicable suspension provided in paragraphs (1) and (2); provided that the person shall be sentenced to the maximum license suspension period, the court shall not issue an active intelligent speed assistance system permit pursuant to subsection (d), and the person shall be subject to the penalties for



1 violating section 286-132 if the person drives during
2 the applicable suspension period.

3 (d) Upon proof that the defendant has:

4 (1) Installed an active intelligent speed assistance
5 system in any vehicle the defendant operates pursuant
6 to subsection (c); and

7 (2) Obtained motor vehicle insurance or self-insurance
8 that complies with the requirements under either
9 section 431:10C-104 or 431:10C-105,

10 the court shall issue an active intelligent speed assistance
11 system permit that will allow the defendant to drive a vehicle
12 equipped with an active intelligent speed assistance system
13 during the suspension period. Installation and maintenance of
14 the active intelligent speed assistance system shall be at the
15 defendant's own expense.

16 [~~(d)~~] (e) As used in this section:

17 "Drag race" means the operation of two or more vehicles
18 from a point side by side at accelerating speeds in a
19 competitive attempt to outdistance each other, or the operation
20 of one or more vehicles over a common selected course, from the
21 same point to the same point, for the purpose of comparing the



1 relative speeds or power of acceleration of the vehicle or
2 vehicles within a certain distance or time limit.

3 "Exhibition of speed or acceleration" means the sudden
4 acceleration of a vehicle resulting in the screeching of the
5 vehicle's tires that is done to intentionally draw the attention
6 of persons present toward the vehicle.

7 "Racing" means the use of one or more vehicles in an
8 attempt to outgain, outdistance, or prevent another vehicle from
9 passing, to arrive at a given destination ahead of another
10 vehicle or vehicles, or to test the physical stamina or
11 endurance of drivers over long distance driving routes."

12 SECTION 8. Section 291C-105, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§291C-105 Excessive speeding.** (a) No person shall drive
15 a motor vehicle at a speed exceeding:

16 (1) The applicable state or county speed limit by thirty
17 miles per hour or more; or

18 (2) Eighty miles per hour or more irrespective of the
19 applicable state or county speed limit.



1 (b) For the purposes of this section, "the applicable
2 state or county speed limit" means the maximum speed limit
3 established:

4 (1) By county ordinance;

5 (2) By official signs placed by the director of
6 transportation on highways under the director's
7 jurisdiction; or

8 (3) Pursuant to section 291C-104 by the director of
9 transportation or the counties for school zones and
10 construction areas in their respective jurisdictions.

11 (c) Any person who violates subsection (a) shall be guilty
12 of a petty misdemeanor and shall be sentenced as follows without
13 the possibility of probation or suspension of sentence:

14 (1) For a first offense not preceded by a prior conviction
15 for an offense under subsection (a) in the preceding
16 five years:

17 (A) A fine of [~~not~~] no less than \$500 and [~~not~~] no
18 more than \$1,000;

19 (B) Thirty-day prompt suspension of license and
20 privilege to operate a vehicle during the
21 suspension period, or the court may impose, in



1 lieu of the thirty-day prompt suspension of
2 license, a minimum fifteen-day prompt suspension
3 of license with absolute prohibition from
4 operating a vehicle and, for the remainder of the
5 thirty-day period, a restriction on the license
6 that allows the person to drive for limited work-
7 related purposes;

8 (C) Installation during the suspension period of
9 active intelligent speed assistance systems on
10 all vehicles operated by the person;

11 (D) At the court's discretion, the imposition of a
12 requirement that the person install active
13 intelligent speed assistance systems on all
14 vehicles operated by the person for a period
15 beyond the suspension period determined by the
16 court;

17 ~~[(C)]~~ (E) Attendance in a course of instruction in
18 driver retraining;

19 ~~[(D)]~~ (F) A surcharge of \$25 to be deposited into the
20 neurotrauma special fund under section 321H-4;



1 ~~[(F)]~~ (G) A surcharge of ~~[not]~~ no more than \$100 to be
2 deposited into the trauma system special fund
3 under section 321-22.5, if the court so orders;

4 ~~[(F)]~~ (H) An assessment for driver education pursuant
5 to section 286G-3; and

6 ~~[(G)]~~ (I) Either one of the following:

7 (i) Thirty-six hours of community service work;
8 or

9 (ii) ~~[Not]~~ No less than forty-eight hours and
10 ~~[not]~~ no more than five days of
11 imprisonment; and

12 (2) For an offense that occurs within five years of a
13 prior conviction for an offense under subsection (a):

14 (A) A fine of ~~[not]~~ no less than \$750 and ~~[not]~~ no
15 more than \$1,000;

16 (B) Prompt suspension of license and privilege to
17 operate a vehicle for a period of thirty days
18 with an absolute prohibition from operating a
19 vehicle during the suspension period;



1 (C) Installation during the suspension period of
2 active intelligent speed assistance systems on
3 all vehicles operated by the person;

4 (D) At the court's discretion, the imposition of a
5 requirement that the person install active
6 intelligent speed assistance systems on all
7 vehicles operated by the person for a period
8 beyond the suspension period determined by the
9 court;

10 [~~(C)~~] (E) Attendance in a course of instruction in
11 driver retraining;

12 [~~(D)~~] (F) A surcharge of \$25 to be deposited into the
13 neurotrauma special fund under section 321H-4;

14 [~~(E)~~] (G) A surcharge of [~~not~~] no more than \$100 to be
15 deposited into the trauma system special fund
16 under section 321-22.5, if the court so orders;

17 [~~(F)~~] (H) An assessment for driver education pursuant
18 to section 286G-3; and

19 [~~(G)~~] (I) Either one of the following:

20 (i) [~~Not~~] No less than one hundred twenty hours
21 of community service work; or



1 (ii) ~~[Not]~~ No less than five days but ~~[not]~~ no
2 more than fourteen days of imprisonment of
3 which at least forty-eight hours shall be
4 served consecutively.

5 (d) Notwithstanding subsection (c), any person who
6 violates subsection (a) within five years of two prior
7 convictions for the same offense shall be guilty of a
8 misdemeanor and shall be sentenced as follows without the
9 possibility of probation or suspension of sentence:

10 (1) A mandatory minimum jail sentence of thirty days;

11 (2) Revocation of license and privilege to operate a
12 vehicle for a period of ~~[not]~~ no less than ninety days
13 but ~~[not]~~ no more than six months;

14 (3) Installation during the revocation period of active
15 intelligent speed assistance systems on all vehicles
16 operated by the person;

17 (4) At the court's discretion, the imposition of a
18 requirement that the person install active intelligent
19 speed assistance systems on all vehicles operated by
20 the person for a period beyond the revocation period
21 determined by the court;



1 ~~[-3-]~~ (5) Attendance in a course of instruction in driver
2 retraining;

3 ~~[-4-]~~ (6) A surcharge of \$25 to be deposited into the
4 neurotrauma special fund under section 321H-4;

5 ~~[-5-]~~ (7) A surcharge of ~~[not]~~ no more than \$100 to be
6 deposited into the trauma system special fund under
7 section 321-22.5, if the court so orders;

8 ~~[-6-]~~ (8) An assessment for driver education pursuant to
9 section 286G-3; and

10 ~~[-7-]~~ (9) That the vehicle used in the commission of the
11 offense be subject to forfeiture under chapter 712A,
12 if the court so orders.

13 (e) If the person demonstrates to the court that the
14 person:

15 (1) Does not own or have the use of a vehicle in which the
16 person can install an active intelligent speed
17 assistance system during the suspension or revocation
18 period; or

19 (2) Is otherwise unable to drive during the suspension or
20 revocation period,



1 the person shall be prohibited from driving during the period of
2 applicable suspension or revocation provided in subsections (c)
3 and (d); provided that the person shall be sentenced to the
4 maximum license suspension period, the court shall not issue an
5 active intelligent speed assistance system permit pursuant to
6 subsection (f), and the person shall be subject to the penalties
7 for violating section 286-132 if the person drives during the
8 applicable suspension or revocation period.

9 (f) Upon proof that the defendant has:

10 (1) Installed an active intelligent speed assistance
11 system in any vehicle the defendant operates pursuant
12 to subsection (c) or (d); and

13 (2) Obtained motor vehicle insurance or self-insurance
14 that complies with the requirements under either
15 section 431:10C-104 or 431:10C-105,

16 the court shall issue an active intelligent speed assistance
17 system permit that will allow the defendant to drive a vehicle
18 equipped with an active intelligent speed assistance system
19 during the suspension or revocation period. Installation and
20 maintenance of the active intelligent speed assistance system
21 shall be at the defendant's own expense.



1 PART III

2 SECTION 9. This Act does not affect rights and duties that
3 matured, penalties that were incurred, and proceedings that were
4 begun before its effective date.

5 SECTION 10. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 11. This Act shall take effect on July 1, 2026;
8 provided that part II shall take effect on July 1, 2030.

9

INTRODUCED BY:



JAN 23 2026



H.B. NO. 2023

Report Title:

DOT; Judiciary; New Motor Vehicle Dealers; Vehicle Manufacturers; New Passenger Vehicles; Intelligent Speed Assistance Systems; Penal Code; Traffic Offenses

Description:

Beginning with the 2030 model year, requires new passenger vehicles to be equipped with passive intelligent speed assistance systems. Beginning 7/1/2030: makes circumventing or tampering with an active intelligence speed assistance system a misdemeanor; requires the Department of Transportation to select a vendor for the installation and maintenance of active intelligent speed assistance systems; and allows the Judiciary to impose the installation of active intelligent speed assistance systems as an additional penalty and as part of a license suspension or revocation for repeat offenders of certain traffic violations.

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

