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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 PART I

2 SECTION 1. Section 249-7, Hawaii Revised Statutes, is  
3 amended by amending subsection (b) to read as follows:

4 "(b) Upon [~~an original registration~~] a legally authorized  
5 registration, the director of finance shall fix, and shall  
6 charge to the owner, a fee equal to the cost of the number plate  
7 and tag or emblem plus the administrative cost of furnishing the  
8 plate and tag or emblem and effecting the registration. Upon  
9 the issuance of a new series of number plates as determined by  
10 the directors of finance of each county through majority  
11 consent, the director of finance shall charge the owner a fee  
12 equal to the costs of the number plate plus the administrative  
13 cost of furnishing the plates. Upon issuing a tag or emblem,  
14 the director of finance shall charge the owner a fee of 50  
15 cents. A seller or licensed dealer shall ensure that a motor  
16 vehicle is equipped with a front number plate mounting bracket  
17 or device securely affixed to the vehicle before sale or



1 delivery to the purchaser. The seller, licensed dealer, or  
2 owner shall securely fasten the number plates on the vehicle,  
3 one on the front and the other on the rear, at a location  
4 provided by the manufacturer or, in the absence of such a  
5 location, upon the bumpers of the vehicle and in conformance  
6 with section 291-31, in [~~such~~] a manner [~~as to prevent~~] that  
7 prevents the plates from swinging. Number plates shall at all  
8 times be displayed entirely unobscured and be kept reasonably  
9 clean. In the case of trailers, semitrailers, or motorcycles,  
10 one plate shall be used and [~~it shall be~~] fastened to the rear  
11 thereof at a location provided by the manufacturer or, in the  
12 absence of such a location, at the rear thereof, and in the case  
13 of motorcycles in conformance with section 291-31."

14 PART II

15 SECTION 2. Section 291C-103, Hawaii Revised Statutes, is  
16 amended to read as follows:

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



1 making a speed record, and no person shall in any manner  
2 participate in or organize any race, competition, contest, test,  
3 street takeover, or exhibition prohibited by this section.

4 (b) Any person who violates this section~~[, except in the~~  
5 ~~ease of an exhibition of speed or acceleration,]~~ shall be fined  
6 ~~[not more than \$500 or imprisoned not more than six months, or~~  
7 ~~both. Any person who violates this section by way of an~~  
8 ~~exhibition of speed or acceleration shall be fined not more than~~  
9 ~~\$500 or]~~ \$1,000 and be sentenced to perform forty hours of  
10 community service~~[, or both].~~

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

18 (1) For an offense that occurs within five years of a  
19 prior conviction, a one-year license suspension;

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



- 1 (A) A three-year license suspension; and
- 2 (B) A vehicle owned by the defendant and used in the
- 3 commission of the offense which has been used in
- 4 at least two prior offenses that resulted in
- 5 convictions may be ordered by the court to be
- 6 subject to forfeiture under chapter 712A; and
- 7 (3) For all offenses under this section, a surcharge of up
- 8 to [~~\$100~~] \$500 may be deposited in the trauma system
- 9 special fund [~~if the court so orders~~].
- 10 (d) As used in this section:
- 11 "Drag race" means the operation of two or more vehicles
- 12 from a point side by side at accelerating speeds in a
- 13 competitive attempt to outdistance each other, or the operation
- 14 of one or more vehicles over a common selected course, from the
- 15 same point to the same point, for the purpose of comparing the
- 16 relative speeds or power of acceleration of the vehicle or
- 17 vehicles within a certain distance or time limit.
- 18 "Exhibition of speed or acceleration" means the sudden
- 19 acceleration of a vehicle resulting in the screeching of the
- 20 vehicle's tires that is done to intentionally draw the attention
- 21 of persons present toward the vehicle. "Exhibition of speed or



1 acceleration" includes burnouts, donuts, drifting, wheelies, or  
2 other stunts intended to demonstrate speed or control.

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

8 "Street takeover" means the intentional obstruction of a  
9 public highway or street by using motor vehicles to facilitate a  
10 speed contest or exhibition of speed, including blocking traffic  
11 or creating a barricade."

12 PART III

13 SECTION 3. Section 291L-2, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[+]§291L-2[+] **Automated speed enforcement systems**  
16 **program; established.** There shall be established the automated  
17 speed enforcement systems program, which shall be implemented by  
18 the State to enforce the speed restriction laws of the State.  
19 The automated speed enforcement [~~system~~] systems program [~~shall~~  
20 ~~be limited to only those locations where a photo red light~~  
21 ~~imaging detector system has been implemented pursuant to chapter~~



1 291J.] may be implemented in any high-risk location of a state  
 2 or county highway as determined by the department based on an  
 3 analysis of the studies conducted pursuant to section 291L-3(c);  
 4 provided that the department may consult with the judiciary  
 5 regarding implementation; provided further that the judiciary  
 6 shall not control or delay the department's authority to  
 7 determine camera locations or implementation timelines."

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 2026-2027 to be deposited into the  
 11 automated speed enforcement systems program special fund.

12 SECTION 5. There is appropriated out of the automated  
 13 speed enforcement systems program special fund the sum of  
 14 \$ or so much thereof as may be necessary for fiscal  
 15 year 2026-2027 for the expanded implementation of automated  
 16 speed enforcement systems and operation of the automated speed  
 17 enforcement systems program.

18 The sum appropriated shall be expended by the department of  
 19 transportation for the purposes of this part.

20 PART IV



1 SECTION 6. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4 "CHAPTER A

5 AUTOMATIC LICENSE PLATE RECOGNITION SYSTEMS PROGRAM

6 §A-1 Definitions. As used in this chapter:

7 "Automatic license plate recognition system" means a  
8 technology system that scans the rear license plates of motor  
9 vehicles, compares the plate information against applicable  
10 motor vehicle databases to determine whether the vehicle  
11 properly displays a current certificate of inspection and  
12 certificate of registration, and facilitates the issuance of  
13 citations or notifications to the registered owner when a motor  
14 vehicle is not in compliance.

15 "County" means the counties of Hawaii, Kauai, and Maui and  
16 the city and county of Honolulu.

17 "County highway" has the same meaning as used in section  
18 264-1.

19 "Department" means the department of transportation.

20 "Motor vehicle" has the same meaning as defined in section  
21 291C-1.



1 "Owner" or "registered owner" has the same meaning as  
2 defined in section 286-2.

3 "State highway" has the same meaning as defined in section  
4 264-1.

5 **§A-2 Automatic license plate recognition systems program;**  
6 **established.** (a) There is established the automatic license  
7 plate recognition systems program to identify motor vehicles  
8 that do not properly display a current certificate of inspection  
9 or certificate of registration; provided that the implementation  
10 of any automatic license plate recognition system shall be  
11 limited to only those locations where a photo red light imaging  
12 detector system has been implemented pursuant to chapter 291J.  
13 Nothing in this chapter shall be deemed to supersede or override  
14 any provision of chapter 291.

15 **§A-3 County powers and duties.** (a) The State or a county  
16 may establish and implement, in accordance with this chapter, an  
17 automatic license plate recognition system imposing monetary  
18 liability on the registered owner of a motor vehicle for failure  
19 to comply with certificate of registration and certificate of  
20 inspection laws. The State or any county may provide for the:



- 1 (1) Procurement, location, and oversight of an automatic  
2 license plate recognition system; and  
3 (2) Installation, operation, maintenance, and repair of  
4 the automatic license plate recognition system through  
5 a third party contractor.

6 Where the automatic license plate recognition system affects  
7 state property, the department shall cooperate with and assist  
8 the county as needed to install, maintain, and repair the  
9 automatic license plate recognition system established pursuant  
10 to this chapter.

11 (b) If the State or a county establishes an automatic  
12 license plate recognition system under this chapter, the  
13 compensation paid by the State or county to a manufacturer or  
14 vendor of the equipment used shall be based on the value of the  
15 equipment and services provided or rendered in support of the  
16 automatic license plate recognition system and shall not be  
17 based on a portion of the fine or civil penalty imposed or the  
18 revenue generated by the equipment.

19 (c) At least sixty days before an automatic license plate  
20 recognition system becomes operational, the department, in  
21 conjunction with any county that implements an automatic license



1 plate recognition systems program pursuant to this chapter,  
2 shall conduct a comprehensive information and educational  
3 campaign to inform motorists and the public about the program.

4 (d) During the first thirty days that an individual  
5 automatic license plate recognition system is operational at a  
6 particular location, a warning shall be issued for any violation  
7 of sections 286-25 or 286-47 and mailed to the registered owner  
8 of the motor vehicle at the address on record at the vehicle  
9 licensing division in lieu of a summons or citation pursuant to  
10 section A-5.

11 (e) For the purposes of this section, "location" means the  
12 place, intersection, or roadway where an automatic license plate  
13 recognition system is installed and operated.

14 **§A-4 Automatic license plate recognition system**

15 **requirements.** (a) Automatic license plate recognition  
16 equipment may be operated from a fixed pole, post, or other  
17 fixed structure on a state or county highway.

18 (b) Signs and other official traffic-control devices  
19 indicating that certificate of registration and certificate of  
20 inspections are enforced by an automatic license plate  
21 recognition system shall be posted on major routes entering the



1 area in question to provide, as far as practicable, notice to  
2 drivers of the existence and operation of the system.

3 (c) Proof of a violation of sections 286-26 and 286-47 may  
4 be evidenced by information obtained from an automatic license  
5 plate recognition system authorized under this chapter. A  
6 certificate, sworn to or affirmed by the reviewing police  
7 department, or a facsimile thereof, based upon an inspection of  
8 photographs, microphotographs, video, or other recorded images  
9 produced by the system, shall be prima facie evidence of the  
10 facts contained therein. Any photograph, microphotograph,  
11 video, or other recorded image, produced by the system, that  
12 contains a clear and unobstructed image of a motor vehicle  
13 license plate shall be prima facie evidence that the motor  
14 vehicle to which the license plate is attached is the motor  
15 vehicle for which the license plate was issued. Any  
16 photographs, microphotographs, video, or other recorded images  
17 evidencing a violation shall be available for inspection in any  
18 proceeding to adjudicate the liability for that violation.

19 (d) The conditions specified in this section shall not  
20 apply when the information gathered is used for highway safety



1 research or to issue warning citations not involving a fine or  
2 court appearance.

3       **§A-5 Summons; citation; notification; form; contents;**  
4 **requirements.** (a) Notwithstanding any other law to the  
5 contrary and except as provided otherwise by this chapter,  
6 beginning January 1, 2027, when any motor vehicle is determined,  
7 by means of an automatic license plate recognition system, to  
8 have violated sections 286-25 or 286-47, the State's or county's  
9 third party contractor shall cause a summons or citation, as  
10 described in this section, to be sent by first class mail to the  
11 registered owner of the motor vehicle. The summons or citation  
12 shall be mailed to the registered owner's address on record at  
13 the vehicle licensing division and submitted to the post office  
14 within ten calendar days after the date of the incident. The  
15 State, county, or State's or county's third party contractor  
16 shall implement a process to record the date on which summons or  
17 citation was submitted to the post office and the record shall  
18 be prima facie evidence of the date the summons or citation was  
19 submitted to the post office. If the end of the ten day  
20 calendar period falls on a Saturday, Sunday, or holiday, then



1 the ending period shall run until the end of the next day that  
2 is not a Saturday, Sunday, or holiday.

3 (b) The form and content of the summons or citation shall  
4 be adopted or prescribed by the administrative judge of the  
5 district courts and shall be printed on a form commensurate with  
6 the form or summonses or citations used in modern methods of  
7 arrest, so designed to include all necessary information to make  
8 the summons or citation valid within the laws of the State;  
9 provided that any summons or citation issued pursuant to the  
10 automatic license plate recognition systems program shall  
11 contain a clear and unobstructed image of the motor vehicle  
12 license plate that shall be used as evidence of the violation.

13 (c) Every summons or citation shall be consecutively  
14 numbered and each copy thereof shall bear the number of its  
15 respective original.

16 (d) Before mailing the summons or citation for a traffic  
17 infraction pursuant to subsection (a), the applicable county  
18 police department shall review and verify the clear and  
19 unobstructed image of the license plate of the motor vehicle  
20 required under subsection (b).



1 (e) Upon receipt of the summons or citation the registered  
2 owner shall answer as provided for in section 291D-6. A record  
3 of the mailing of the summons or citation prepared in the  
4 ordinary course of business shall be prima facie evidence of the  
5 notification. The registered owner shall be determined by the  
6 identification of the motor vehicle license plate.

7 (f) Procedures regarding answering a notice, court  
8 hearings, and court actions shall be pursuant to sections 291D-  
9 6, 291D-7, 291D-8, and 291D-13; provided that it shall not be a  
10 defense of any citation issued under this chapter that another  
11 person was driving the defendant's motor vehicle at the time of  
12 incident, unless the motor vehicle was stolen as documented by a  
13 police report; provided further that any reference to the  
14 defendant's commission of the traffic infraction or similar  
15 language shall be interpreted to mean commission of the traffic  
16 infraction.

17 **§A-6 Registered owner's responsibility for a summons or**  
18 **citation.** In any proceeding for a violation of this chapter,  
19 the information contained in the summons or citation mailed in  
20 accordance with section -5 shall be deemed prima facie  
21 evidence that a violation of sections 286-25 or 286-47 occurred.



1 The registered owner shall be strictly liable for a violation of  
2 sections 286-25 or 286-47.

3       **§A-7 Failure to comply with a summons or citation.** If the  
4 registered owner of a motor vehicle who fails to respond to a  
5 summons or citation issued pursuant to section     -5 within a  
6 period of thirty days from the date of the mailing of the  
7 summons or citation, the district court shall issue, pursuant to  
8 section 291D-7(e), a notice of entry of judgment of default to  
9 the registered owner of the motor vehicle.

10       **§A-8 Penalty.** (a) The penalties for all consequences of  
11 a violation for an expired vehicle registration or an expired  
12 vehicle certificate of inspection initiated by the use of an  
13 automatic license plate recognition system shall be a fine of  
14 not less \$75 and not more than \$100; provided that the fine  
15 shall be waived if the registered owner demonstrates that the  
16 motor vehicle properly displays a current certificate of  
17 inspection or certificate of registration within thirty days  
18 after issuance of the citation. Any fines collected pursuant to  
19 this section shall be used for the maintenance of the automatic  
20 license plate recognition systems and public education regarding



1 the use of the systems and motor vehicle inspection and  
2 registration requirements.

3 (b) Any summons or citation issued or convictions  
4 resulting from this chapter shall not be recorded on a person's  
5 traffic abstract and shall not be used for insurance purposes in  
6 the provision of motor vehicle insurance.

7 **§A-9 Fines for unauthorized disclosure.** All personal and  
8 confidential information made available by an automatic license  
9 plate recognition system to an officer, employee, or agent of  
10 the State or any county, including third party contractors,  
11 shall be kept confidential and be used only for the purposes for  
12 which the information was furnished. Any office, employee, or  
13 agent of the State or any county, including a third party  
14 contractor, who intentionally discloses or provides a copy of  
15 personal and confidential information obtained from an automatic  
16 license plate recognition system to any person or agency without  
17 authorization shall be fined not more than \$500; provided that  
18 the fine shall not preclude the application of penalties or  
19 fines otherwise provided for by law.

20 **§A-10 Rules.** The department shall adopt rules pursuant to  
21 chapter 91 to carry out the purposes of this chapter."



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PART V

SECTION 7. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**"CHAPTER B**

**SCHOOL BUS INFRACTION DETECTION SYSTEMS PROGRAM**

**§B-1 Definitions.** As used in this chapter:

"Department" means the department of transportation.

"Motor vehicle" has the same meaning as defined in section 286-2.

"Owner" or "registered owner" has the same meaning as defined in section 286-2.

"School bus infraction detection system" means a device or combination of devices used for traffic enforcement pursuant to this chapter that includes a vehicle sensor working in conjunction and synchronization with a camera to automatically produce and record one or more sequenced photographs, microphotographs, video, or other recorded images of the rear of the motor vehicle and motor vehicle license plate, at the time that the motor vehicle fails to stop behind a school bus with visual signals activated pursuant to section 291C-95.



1 "State highway" has the same meaning as defined in section

2 **§B-2 School bus infraction detection system requirements.**

3 (a) A contractor may install a school bus infraction detection  
4 system on the stop arm of the contractor's vehicle to record  
5 photographs, microphotographs, video, or other recorded images  
6 to be used for proof of a violation of section 291C-95.

7 (b) Proof of a violation of section 291C-95 shall be  
8 evidenced by information obtained from a school bus infraction  
9 detection system authorized under this chapter. A certificate,  
10 sworn to or affirmed by the reviewing police department, or a  
11 facsimile thereof, based on the inspection of photographs,  
12 microphotographs, video, or other recorded images produced by  
13 the camera that contains a clear and unobstructed image of a  
14 motor vehicle license plate shall be prima facie evidence that  
15 the motor vehicle to which the license plate is attached is the  
16 motor vehicle for which the license plate was issued. Any  
17 photographs, microphotographs, video, or other recorded images  
18 evidencing a violation shall be available for inspection in any  
19 proceeding to adjudicate the liability for that violation.

20 **§B-3 Facial recognition software; prohibited.** (a) No  
21 school bus infraction detection system authorized under this



1 chapter shall use or be equipped with facial recognition  
2 software or biometric identification technology.

3 (b) This section shall not apply to:

4 (1) Automated license plate reader systems; or

5 (2) Any non-biometric technology used to verify vehicle  
6 identity, registration status, or generate  
7 photographic evidence of a violation.

8 (c) For the purposes of this section:

9 "Biometric identification" includes but is not limited to  
10 recognition of facial features, iris scans, retinal scans,  
11 fingerprints, or voice patterns.

12 "Facial recognition software" means technology that  
13 analyzes facial features to identify or verify the identity of  
14 an individual.

15 **SB-4 Summons or citations.** (a) Notwithstanding any other  
16 law to the contrary and except as provided otherwise by this  
17 chapter, beginning January 1, , when any motor vehicle is  
18 determined, by means of a school bus infraction detection  
19 system, to have violated 291C-95, the State's or county's third  
20 party contractor shall cause a summons or citation, as described  
21 in this section, to be sent by first class mail to the



1 registered owner of the motor vehicle. The summons or citation  
2 shall be mailed to the registered owner's address on record at  
3 the vehicle licensing division and submitted to the post office  
4 within ten calendar days after the date of the incident. The  
5 State, county, or State's or county's third party contractor  
6 shall implement a process to record the date on which summons or  
7 citation was submitted to the post office and the record shall  
8 be prima facie evidence of the date the summons or citation was  
9 submitted to the post office. If the end of the ten day  
10 calendar period falls on a Saturday, Sunday, or holiday, then  
11 the ending period shall run until the end of the next day that  
12 is not a Saturday, Sunday, or holiday.

13 (b) The form and content of the summons or citation shall  
14 be adopted or prescribed by the administrative judge of the  
15 district courts and shall be printed on a form commensurate with  
16 the form or summonses or citations used in modern methods of  
17 arrest, so designed to include all necessary information to make  
18 the summons or citation valid within the laws of the State;  
19 provided that any summons or citation issued pursuant to a  
20 violation detected by a school bus infraction detection system  
21 shall contain a clear and unobstructed image of the motor



1 vehicle license plate that shall be used as evidence of the  
2 violation.

3 (c) Every summons or citation shall be consecutively  
4 numbered and each copy thereof shall bear the number of its  
5 respective original.

6 (d) Before mailing the summons or citation for a traffic  
7 infraction pursuant to subsection (a), the applicable county  
8 police department shall review and verify the clear and  
9 unobstructed image of the license plate of the motor vehicle  
10 required under subsection (b).

11 (e) Upon receipt of the summons or citation the registered  
12 owner shall answer as provided for in section 291D-6. A record  
13 of the mailing of the summons or citation prepared in the  
14 ordinary course of business shall be prima facie evidence of the  
15 notification. The registered owner shall be determined by the  
16 identification of the motor vehicle license plate.

17 (f) Procedures regarding answering a notice, court  
18 hearings, and court actions shall be pursuant to sections 291D-  
19 6, 291D-7, 291D-8, and 291D-13; provided that it shall be a  
20 defense to any prosecution for a violation of section 291C-95 as  
21 evidenced by information contained from a camera on a stop arm



1 of a school bus authorized under this chapter that the camera  
2 was malfunctioning at the time of the alleged violation;  
3 provided further that it shall not be a defense of any citation  
4 issued under this chapter that another person was driving the  
5 defendant's motor vehicle at the time of incident, unless the  
6 motor vehicle was stolen as documented by a police report;  
7 provided further that any reference to the defendant's  
8 commission of the traffic infraction or similar language shall  
9 be interpreted to mean commission of the traffic infraction.

10 **§B-5 Registered owner's liability for a summons or**  
11 **citation.** In any proceeding for a violation of this chapter the  
12 information contained in the summons or citation that is mailed  
13 pursuant to section B-4 shall be deemed prima facie evidence  
14 that a violation of section 291C-95 occurred. The registered  
15 owner shall be strictly liable for a violation of section 291C-  
16 95.

17 **§B-6 Failure to comply with a summons or citation.** If the  
18 registered owner of the motor vehicle fails to respond to a  
19 summons or citation within thirty days from the date of the  
20 mailing of the summons or citation, the district court shall  
21 issue, pursuant to section 291D-7(e), a notice of entry of



1 judgement of default to the registered owner of the motor  
2 vehicle.

3 **§B-7 Liability for rental or U-drive motor vehicle.**

4 Notwithstanding any other law to the contrary, any registered  
5 owner on record who is the lessor of a rental or U-drive motor  
6 vehicle, including those defined in section 286-2, shall be  
7 liable for any summons or citation issued under this chapter.  
8 The registered owner shall not be precluded from pursuing  
9 reimbursement from any applicable renter or lessee.

10 **§B-8 Penalties.** (a) Any penalty for a violation of  
11 overtaking and passing a school bus through a school bus  
12 infraction detection system shall be imposed in accordance with  
13 section 291C-161.

14 (b) Any summons or citation issued under this chapter or  
15 convictions resulting from this chapter shall not be recorded on  
16 a person's traffic abstract and shall not be used for insurance  
17 purposes in the provision of motor vehicle insurance coverage.

18 **§B-9 Fines for unauthorized disclosure.** All personal and  
19 confidential information made available by a school bus  
20 infraction detection system to an officer, employee, or agent of  
21 the State or any county, including third party contractors,



1 shall be kept confidential and be used only for the purposes for  
 2 which the information was furnished. Any office, employee, or  
 3 agent of the State or any county, including a third party  
 4 contractor, who intentionally discloses or provides a copy of  
 5 personal and confidential information obtained from a school bus  
 6 infraction detection system to any person or agency without  
 7 authorization shall be fined not more than \$500; provided that  
 8 the fine shall not preclude the application of penalties or  
 9 fines otherwise provided for by law.

10 **SB-10 Rules.** The department shall adopt rules pursuant to  
 11 chapter 91 to carry out the purposes of this chapter."

12 SECTION 8. Section 291C-95, Hawaii Revised Statutes, is  
 13 amended to read as follows:

14 **"§291C-95 Overtaking and passing school bus.** (a)  
 15 Whenever a school bus is stopped on a highway or road in a  
 16 residential area with its visual signals actuated as described  
 17 in subsection (g), the driver of any motor vehicle on the same  
 18 highway or road in a residential area in the lane occupied by  
 19 the school bus and all lanes adjacent to the lane occupied by  
 20 the school bus, regardless of the direction of traffic in those  
 21 lanes, shall stop the driver's vehicle [~~not~~] no less than twenty



1 feet from the school bus and shall not proceed until the school  
2 bus resumes motion and the visual signals are turned off.

3 (b) Subsection (a) shall not apply to a vehicle when the  
4 school bus and the vehicle are on different roadways; [~~except~~]  
5 provided that where a highway or road in a residential area has  
6 been divided into two or more lanes by an intervening space, a  
7 physical barrier, or a clearly indicated dividing section,  
8 subsection (a) shall apply to all drivers of motor vehicles in  
9 all lanes on the same side as a school bus [~~which~~] that is  
10 stopped with visual signals actuated as required under  
11 subsection (c).

12 (c) The driver of the school bus shall actuate the visual  
13 signals described in subsection (g) only when the school bus is  
14 stopped for the purpose of receiving or discharging school  
15 children.

16 (d) The front and rear of every school bus shall be marked  
17 with the words "SCHOOL BUS" in plainly visible letters [~~not~~] no  
18 less than eight inches in height and strokes [~~not~~] no less than  
19 three-fourths of an inch in width.

20 (e) No vehicle, other than a school bus, shall display a  
21 "SCHOOL BUS" sign.



1 (f) When a school bus is being operated upon a highway for  
2 purposes other than as an incident to the transportation of  
3 children, all marking thereon indicating "SCHOOL BUS" shall be  
4 covered or concealed.

5 (g) The visual signals actuated as required under  
6 subsection (c) shall consist of four red signal lamps meeting  
7 the following requirements:

8 (1) Two lamps shall face forward and two shall face the  
9 rear;

10 (2) The two forward lamps shall flash alternately and  
11 shall be mounted at the same level, but as high and as  
12 widely spaced as practical;

13 (3) The two rear lamps shall flash alternately and shall  
14 be mounted at the same level but as high and as widely  
15 spaced as practical; and

16 (4) Each of the lamps shall be of sufficient intensity as  
17 to be plainly visible at a distance of five hundred  
18 feet in normal sunlight and shall be capable of being  
19 actuated from the driver's seat by a single switch.

20 (h) Any person who violates this section shall be fined not  
21 more than \$500 or sentenced to perform community service, or



1 both; provided that any person who violates subsection (a) on a  
2 state highway shall be fined not more than \$1,000 or sentenced  
3 to perform community service, or both.

4 (i) Whenever a school bus is actively monitored by a school  
5 bus infraction detection system under chapter B, each registered  
6 owner of a motor vehicle on the same highway or road in a  
7 residential area in the lane occupied by the school bus and all  
8 adjacent lanes, regardless of the direction of traffic in those  
9 lanes, shall be held strictly liable for the motor vehicle's  
10 compliance with subsection (a), to the extent that registered  
11 owners may be cited and held accountable for non-compliance via  
12 civil traffic infractions imposed pursuant to chapter 291C. To  
13 the extent that a registered owner's motor vehicle fails to  
14 comply with any other law or ordinance, the registered owner of  
15 the vehicle shall not be held strictly liable unless otherwise  
16 provided by law."

17 SECTION 9. Section 302A-407, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19 "(a) Any school bus contract between the State and the  
20 contractor shall include a provision requiring the contractor to  
21 equip the contractor's vehicles with the signs and visual



1 signals described in section 291C-95(d) and (g) [↔] and  
 2 authorizing the contractor to equip a school bus infraction  
 3 detection system on the stop arm of the contractor's vehicles  
 4 pursuant to chapter B. The contract shall also include other  
 5 provisions as may be deemed necessary by the State for the  
 6 safety of school bus passengers and shall include provisions  
 7 requiring compliance with the rules and standards described in  
 8 section 286-181."

9 SECTION 10. There is appropriated out of the general  
 10 revenues of the State of Hawaii the sum of \$ or so  
 11 much thereof as may be necessary for fiscal year 2026-2027 for  
 12 the department of education to provide funding for the  
 13 installation of school bus infraction detection systems.

14 The sum appropriated shall be expended by the department of  
 15 education for the purposes of this part.

PART VI

17 SECTION 11. Section 291J-12, Hawaii Revised Statutes, is  
 18 amended to read as follows:

19 "**§291J-12 Photo red light imaging detector systems program**  
 20 **special fund established.** (a) There is established a photo red  
 21 light imaging detector systems special fund to be administered



1 by the [~~department,~~] department's motor vehicle safety office,  
2 into which shall be paid revenues collected pursuant to this  
3 chapter.

4 (b) All fines collected under this chapter shall be  
5 deposited into the photo red light imaging detector systems  
6 program special fund. Moneys in the fund shall be expended by  
7 the [~~department~~] department's motor vehicle safety office in the  
8 county in which the fine was imposed, for purposes that include  
9 the establishment, operation, oversight, repair, and maintenance  
10 of a photo red light imaging detector system and implementation  
11 of the photo red light imaging detector system program."

12 SECTION 12. Section 291L-10, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "[~~+~~]**§291L-10**[~~+~~] **Automated speed enforcement systems**  
15 **program special fund; established.** (a) There is established in  
16 the state treasury an automated speed enforcement systems  
17 program special fund to be administered by the [~~department,~~]  
18 department's motor vehicle safety office, into which shall be  
19 deposited all fines collected pursuant to this chapter and  
20 section 291C-108.



1 (b) Moneys in the automated speed enforcement systems  
2 program special fund shall be expended by the [~~department~~]  
3 department's motor vehicle safety office in the county in which  
4 the fine was imposed, for the establishment, implementation,  
5 operation, oversight, management, maintenance, and repair of an  
6 automated speed enforcement system and implementation of the  
7 automated speed enforcement systems program."

8 PART VII

9 SECTION 13. Section 291C-32, Hawaii Revised Statutes, is  
10 amended by amending subsection (c) to read as follows:

11 "(c) Whenever traffic is controlled by traffic-control  
12 signals exhibiting different colored lights, or colored lighted  
13 arrows, successively one at a time or in combination, and  
14 actively monitored by an official photo red light imaging  
15 detector system, all registered owners of all motor vehicles in  
16 vehicular traffic at the intersection shall be held strictly  
17 liable for the motor vehicle's compliance with the traffic-  
18 control signal, to the extent that registered owners may be  
19 cited and held accountable for non-compliance [~~via civil traffic~~  
20 ~~infractions~~] pursuant to chapter 291J. The traffic-control



1 signal lights shall apply to the registered owners of motor  
2 vehicles as follows:

3 (1) Steady red indication:

4 (A) Vehicular traffic facing a steady red signal  
5 alone shall stop at a clearly marked stop line  
6 or, if none, before entering the crosswalk on the  
7 near side of the intersection or, if none, then  
8 before entering the intersection and shall remain  
9 standing until an indication to proceed is shown,  
10 except as provided in subparagraphs (B) and  
11 (C) ~~[-]~~;

12 (B) Vehicular traffic that is stopped in obedience to  
13 a steady red indication may make a right turn but  
14 shall yield the right-of-way to pedestrians and  
15 other traffic proceeding as directed by the  
16 signal at the intersection ~~[, except]~~; provided  
17 that counties by ordinance may prohibit any right  
18 turn against a steady red indication, which  
19 ordinance shall be effective when a sign is  
20 erected at the intersection giving notice  
21 thereof ~~[-]~~; and



1 (C) Vehicular traffic on a one-way street that  
 2 intersects another one-way street on which  
 3 traffic moves to the left shall stop in obedience  
 4 to a steady red indication but may then make a  
 5 left turn into the one-way street, but shall  
 6 yield right-of-way to pedestrians proceeding as  
 7 directed by the signal at the intersection[~~r~~  
 8 ~~except~~]; provided that counties by ordinance may  
 9 prohibit any left turn against a steady red  
 10 indication, which ordinance shall be effective  
 11 when a sign is erected at the intersection giving  
 12 notice thereof[~~r~~]; and

13 (2) To the extent a registered owner's motor vehicle fails  
 14 to comply with any other law or ordinance related to  
 15 traffic-control signals, including subsection (a)(1)  
 16 or (2), the registered owner of a motor vehicle shall  
 17 not be held strictly liable unless otherwise provided  
 18 by law."

19 SECTION 14. Section 291C-108, Hawaii Revised Statutes, is  
 20 amended by amending subsection (a) to read as follows:



1           "(a) Whenever a motor vehicle travels through a location  
2 actively monitored by an automated speed enforcement system, all  
3 registered owners of all motor vehicles in vehicular traffic  
4 shall be held strictly liable for their motor vehicle's  
5 compliance with the maximum speed limit, to the extent that  
6 registered owners may be cited and held accountable for their  
7 motor vehicle traveling at a speed [~~not~~] no less than five miles  
8 per hour over the posted maximum speed limit [~~, via civil traffic~~  
9 ~~infractions~~] pursuant to chapter 291L. The department may  
10 increase the minimum speed threshold for issuance of a citation  
11 pursuant to administrative rules adopted pursuant to chapter  
12 91."

13           SECTION 15. Section 291C-161, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "**~~§291C-161 Penalties~~** [~~; photo red light imaging detector~~  
16 ~~system fines; automated speed enforcement system fines~~]. (a)  
17 It shall be a violation for any person to violate any of the  
18 provisions of this chapter, except as otherwise specified in  
19 subsections (c) and (d) and unless the violation is by other law  
20 of this State declared to be a felony, misdemeanor, or petty  
21 misdemeanor.



1 (b) Except as provided in subsections (c) and (d), every  
2 person who is determined to have violated any provision of this  
3 chapter for which another penalty is not provided shall be fined  
4 [~~not~~] no more than:

5 (1) \$250 for a first violation thereof;

6 (2) \$300 for a second violation committed within one year  
7 after the date of the first violation; and

8 (3) \$500 for a third or subsequent violation committed  
9 within one year after the date of the first violation.

10 (c) Every person convicted under or found in violation of  
11 section 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-  
12 15, 291C-16, 291C-72, 291C-73, 291C-95, 291C-102, 291C-103,  
13 291C-104, or 291C-105 shall be sentenced or fined in accordance  
14 with those sections.

15 (d) Every person who violates section 291C-13 or 291C-18  
16 shall:

17 (1) Be fined [~~not~~] no more than \$250 or imprisoned [~~not~~]  
18 no more than ten days for a first conviction thereof;

19 (2) Be fined [~~not~~] no more than \$300 or imprisoned [~~not~~]  
20 no more than twenty days or both for conviction of a



1 second offense committed within one year after the  
2 date of the first offense; and  
3 (3) Be fined [~~not~~] no more than \$500 or imprisoned [~~not~~]  
4 no more than six months or both for conviction of a  
5 third or subsequent offense committed within one year  
6 after the date of the first offense.

7 (e) The court may assess a sum not to exceed \$50 for the  
8 cost of issuing a penal summons upon any person who fails to  
9 appear at the place within the time specified in the citation  
10 issued to the person for any traffic violation.

11 [~~(f) Fines collected for a violation of section 291C-32(e)~~  
12 ~~pursuant to the photo red light imaging detector system~~  
13 ~~established pursuant to chapter 291J shall be deposited into the~~  
14 ~~photo red light imaging detector systems program special fund~~  
15 ~~established under section 291J-12 and shall be expended in the~~  
16 ~~county in which the fine was imposed, for purposes that include~~  
17 ~~the establishment, implementation, operation, oversight,~~  
18 ~~management, repair, and maintenance of a photo red light imaging~~  
19 ~~detector system.~~

20 (g) ~~Notwithstanding any other law to the contrary, fines~~  
21 ~~collected pursuant to chapter 291L and section 291C-108 shall be~~



1 ~~deposited into the automated speed enforcement systems program~~  
2 ~~special fund established under section 291L-10 and shall be~~  
3 ~~expended in the county in which the fine was imposed, for~~  
4 ~~purposes that include the establishment, implementation,~~  
5 ~~operation, oversight, management, maintenance, and repair of an~~  
6 ~~automated speed enforcement system and implementation of the~~  
7 ~~automated speed enforcement systems program.~~

8 ~~(h)]~~ (f) The court may require a person who violates any  
9 of the provisions of this chapter to attend a course of  
10 instruction in driver retraining as deemed appropriate by the  
11 court, in addition to any other penalties imposed."

12 SECTION 16. Section 291C-194, Hawaii Revised Statutes, is  
13 amended by amending subsection (c) to read as follows:

14 "(c) Any person who is convicted of violating this section  
15 shall be subject to penalties as provided under section 291C-  
16 161(b) and ~~[(h)].~~ (f)."

17 PART VIII

18 SECTION 17. Section 286-26, Hawaii Revised Statutes, is  
19 amended by amending subsection (g) to read as follows:





1 SECTION 20. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 21. This Act shall take effect on July 1, 3000.



**Report Title:**

Transportation; DOT; Sellers; Licensed Dealers; Front Number Plate; Mounting Device; Traffic Code; Racing; Automated Speed Enforcement Systems Program; High-risk Locations; Highway Safety; Counties; Automatic License Plate Recognition Systems Program; Inspections; Registration; School Bus Infraction Detection System; School Bus; Passing; Overtaking; Cameras; Installation; Penalty; Appropriations

**Description:**

PART I: Requires sellers and licensed dealers to ensure that a motor vehicle is equipped with a front number plate mounting bracket or device. Requires a seller, licensed dealer, or owner to securely fasten number plates on vehicles. PART II: Amends the Traffic Code relating to street racing. PART III: Expands the Automated Speed Enforcement Systems Program to high-risk locations of state or county highways as determined by the Department of Transportation, under certain conditions. Appropriates funds. PART IV: Establishes the Automated License Plate Recognition Systems Program. Allows the State and counties to administer the Automated License Plate Recognition Systems Program for the purpose of using automatic license plate recognition systems to identify vehicles without current inspection or registration certificates. Establishes a process for summons or citations to be issued for an offense based upon a photo or other image taken by an automatic license plate recognition system. Establishes a registered owner's liability for a summons or citation issued under the Automated License Plate Recognition Systems Program. Specifies that the district court shall issue a notice of entry of judgment of default to a registered owner that fails to respond to a citation issued under the Automated License Plate Recognition Systems Program. Establishes fines for the unauthorized disclosure of all personal and confidential information made available by an automatic license plate recognition system. PART V: Authorizes school buses to install a school bus infraction detection system on the stop arm of the school bus. Establishes a process for summons or citations to be issued for an offense based upon a photo or other image taken by a school bus infraction detection system. Prohibits a school bus infraction detection system from using or being equipped with facial recognition software or



biometric identification technology. Clarifies liability for a lessor of a rental or U-drive motor vehicle. Specifies the penalties imposed on drivers who are determined to have violated overtaking and passing school bus laws through a school bus infraction detection system. Clarifies the liability of registered vehicle owners in the same lane as, or in a lane adjacent to, a school bus that is actively monitored by a school bus infraction detection system. Appropriates funds. PART VI: Specifies that the Department of Transportation's Motor Vehicle Safety Office shall administer the Photo Red Light Imaging Detector Systems Program Special Fund and Automated Speed Enforcement Systems Program Special Fund. PART VII: Clarifies language relating to photo red light enforcement, automated speed enforcement, and penalty provisions. PART VIII: Requires the Director of Transportation to adopt rules allowing for mobile vehicle safety inspections of passenger cars. Effective 7/1/3000. (SD1)

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