



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 1692, H.D. 2, RELATING TO TRAFFIC SAFETY.

BEFORE THE:

SENATE COMMITTEE ON TRANSPORTATION

DATE: Tuesday, March 24, 2026

TIME: 3:02 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Michael J.S. Moriyama, Deputy Attorney General

Chair Inouye and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The purpose of this bill is to require drivers approaching a stationary vehicle whose emergency lights are flashing to slow down to a specific speed depending on the posted speed limits and change lanes if necessary and safe to do so. A similar requirement already exists for drivers approaching an emergency vehicle. The bill also prohibits drivers from carrying passengers who are under eighteen years old in the bed of a truck or from traveling on certain roadways or above a certain speed.

The Department is concerned that the bill does not address other likely potential causes that could result in a stopped stationary vehicle. Section 291C-27(a), Hawaii Revised Statutes (HRS), as amended by section 2 of this bill on page 2, lines 12 through 18, does not provide for vehicular warning signs, in addition to nonvehicular warning signs, as a condition notifying approaching drivers that a stationary vehicle is stopped. If a stationary vehicle is stopped due to an electrical failure, the vehicle's emergency lights may be inoperable. Raising the hood (or trunk lid) of such a stationary vehicle will provide notice to approaching drivers that the stationary vehicle is stopped and, as a result, the approaching driver needs to slow down and change lanes if necessary and safe.

The Department recommends that section 291C-27(a), HRS, on page 2, line 8, through page 3, line 10, be amended as follows (material to be added in bold):

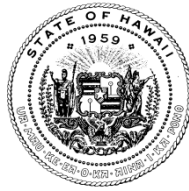
(a) A driver of a vehicle that is approaching an emergency vehicle that is stopped for an emergency, investigation of a possible traffic violation, rendering assistance to a police officer, or other official duties, or any stationary vehicle that is stopped in any location on the roadway, shoulder, or roadside as indicated by the flashing emergency lights or warning signals, including vehicle hazard warning lights, road flares, traffic cones, caution signs, or any vehicular warning signs or nonvehicular warning signs of the stopped emergency or stationary vehicle, shall:

- ~~(1) Slow~~ **slow** down ~~[to a reasonable and prudent speed that is safe under the circumstances of an emergency road situation ahead. Reasonableness and prudence shall take into account weather conditions, road conditions, and vehicular and pedestrian traffic in the immediate area. If necessary, the driver shall come to a complete stop before making a lane change under paragraph (2); and~~
- ~~(2) Make a lane change into the adjacent lane if necessary and if it is safe to do so, or if possible, to two lanes over which leaves one lane between the driver and the emergency vehicle.] and if possible and safe to do so, make a lane change to an adjacent lane. The driver shall come to a complete stop if necessary.~~

We respectfully ask the Committee to pass this bill with the recommended amendments.

Thank you for the opportunity to provide comments on this bill.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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Tuesday, March 24, 2026
3:02 PM
State Capitol, 229

**HB1692, HD1
RELATING TO TRAFFIC SAFETY**

Seante Committee on Transportation

The Department of Transportation (DOT) supports H.B. 1692, H.D. 1.

This bill expands Hawaii's current "move-over" law to include all stationary vehicles—not just emergency responders—on shoulders and roadways. It requires drivers to slow down and change lanes, when safe, around broken-down cars displaying hazard lights. As noted in the Director Feedback, this addresses a nationwide problem: from 2014–2022, over 3,600 individuals—drivers and passengers—lost their lives after being stranded roadside. Twenty-nine states have already enacted similar laws, demonstrating this measure aligns Hawaii with best practices in traffic safety.

Additionally, the bill strengthens rules around passengers riding in the beds of pickup trucks. It bans passengers in truck beds on roads posted above 46 mph or on roadways with three or more lanes in the same direction, unless specific exceptions apply. The bill also raises the minimum legal age for bed-riding from twelve to eighteen years of age, protecting vulnerable youth. These provisions build upon existing law (HRS §291-14), which already prohibits passengers under twelve from riding in truck beds unless in an emergency or parade, and requires proper seating and secured side racks and tailgates.

By strengthening move-over regulations and tightening pickup-bed restrictions, H.B. 1692, H.D. 1 aims to save lives and improve safety statewide. The DOT supports these reforms as they align with our ongoing commitment to reducing traffic-related fatalities and injuries, and promoting responsible driving behaviors that protect all road users.

Thank you for the opportunity to testify in strong support of this bill.



March 24, 2026

Testimony in Support of HB1692 HD2 Relating to Traffic Safety House Bill 1692, HD2

Submitted to: Senate Committee on Transportation (TRS)

Chair: Senator Lorraine R. Inouye **Vice Chair:** Senator Brandon J.C. Elefante

Submitted on behalf of: Keiki Injury Prevention Coalition (KIPC)

Position: SUPPORT

Aloha Chair Inouye, Vice Chair Elefante, and Members,

KIPC strongly supports HB1692 HD2 to protect vulnerable road users, especially keiki and families.

- **Part I** expands "Move Over" to require slowing and lane-changing (when safe) for any stationary vehicle with hazard lights due to crashes, breakdowns, or maintenance—preventing struck-by incidents.
- **Part II** prohibits bed passengers on 46+ mph roads or 3+ lane routes; raises the minimum age from 12 to 18, and reduces ejection and injury risks.

These practical, evidence-based changes align with KIPC's mission to prevent child and youth injuries, as traffic remains a top threat.

Urge passage without weakening amendments.

Mahalo for advancing traffic safety.

Sincerely,

Lisa Dau, RN, Injury Prevention Coordinator

Keiki Injury Prevention Coalition

lisa.dau@kapiolani.org

<https://kipchawaii.org/>



www.AlohaILHawaii.org

Mar 24, 2026

MISSION

Aloha Independent Living Hawaii (AILH) dedicated to providing independent living programs and services for persons with disabilities in Hawaii.

We work together with the community and consumers to improve the quality of life through individual choices and access to services.

EXECUTIVE DIRECTOR

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The Honorable Lorraine R. Inouye, Chair
Senate Committee on Transportation
The Thirty-Third Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT: HB1692 HD2 – Relating to Traffic Safety

Chair and Members of the Committee:

Thank you for the opportunity to testify in **strong support of HB1692 HD2**, Relating to Traffic Safety, with comments. Aloha Independent Living Hawaii (AILH) is a cross-disability, community-based nonprofit that promotes the Independent Living philosophy so people with disabilities of all ages can live, work, and participate fully in their communities.

HB1692 HD2 advances critical safety protections by clarifying drivers' duties when approaching stopped emergency vehicles and by reducing high-risk situations where passengers ride in the bed of pickup trucks on high-speed and multi-lane roadways. These changes are especially important for people with disabilities, who may already face higher risk of serious injury and death in motor vehicle crashes.

Many people with disabilities, including kupuna, individuals with mobility, cognitive, or sensory disabilities, and those who use assistive devices, may require more time and assistance to evacuate a vehicle in an emergency. This can include needing help to transfer to a wheelchair, navigate using a cane or walker, or process and respond to instructions during a stressful situation. Strong protections around stopped emergency vehicles, and fewer unrestrained passengers in pickup beds at higher speeds, are therefore life-saving measures for our cross-disability community.



www.AlohaILHawaii.org

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AILH respectfully encourages the Legislature and the Department of Transportation to build on Part I of this bill by moving toward a comprehensive “move over” framework that ultimately extends similar protections to all disabled or stranded vehicles displaying hazard lights or other recognized warning signals, not only official emergency vehicles. A clear, statewide “move over” message, paired with robust and accessible public education, would help protect all road users, including disabled drivers and passengers waiting for roadside assistance.

Regarding the pickup truck provisions in Part II, AILH acknowledges that families in rural, Native Hawaiian, and low-income communities may rely on pickup trucks because of limited transportation options. To avoid unintended, disproportionate impacts on these communities, including families transporting disabled relatives, we urge the Department of Transportation and law enforcement agencies to:

- Collect and regularly review citation data under these provisions, including geographic patterns; and
- Issue enforcement guidance that emphasizes education and warnings first, and is developed in consultation with disability and community organizations.

Mahalo for the opportunity to testify on this important measure and for your continued attention to the safety and dignity of people with disabilities in Hawaii. We respectfully ask you to pass HB1692 HD2 with consideration of these comments.

Mahalo,

Roxanne Bolden
Executive Director



Testimony of the Oahu Metropolitan Planning Organization

Senate Committee on Transportation

03/24/26 3:02PM

CR 229 & Videoconference

HB1692 HD2

RELATING TO TRAFFIC SAFETY

Dear Chair Inouye, Vice Chair Elefante, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports HB1692 HD2**, which requires drivers approaching stationary vehicles displaying warning signals to slow down and make a lane change if possible and safe to do so and prohibits the operation of a pickup truck with a passenger seated in the bed or load-carrying area on roadways with posted speed limits of forty-six miles per hour or higher and roadways with three or more lanes traveling in the same direction, provides certain exemptions from passenger restrictions and increases the minimum age to ride in the bed or load-carrying area of a pickup truck while in operation from twelve years of age to eighteen years of age.

This bill supports our goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities in Hawaii increased over twenty (20) percent between 2024 and 2025; most alarming, Oahu saw an increase of over sixty (60) percent in fatalities in the same period. A 2011 study conducted by [AAA Foundation for Traffic Safety](#) found that the average risk of death for a pedestrian reaches 50% at an impact speed of 42 MPH, 75% at 50 MPH, and 90% at an impact speed of 58 MPH. This has put our first responders and individuals stopped on shoulders or roadside at tremendous risk when addressing traffic collisions, vehicle maintenance, or mechanical issues.

The OahuMPO is the federally designated Metropolitan Planning Organization (MPO) on the island of Oahu responsible for carrying out a multimodal transportation planning process, including the development of a long-range (25-year horizon) metropolitan transportation plan, referred to as the Oahu Regional Transportation Plan (ORTP), which encourages and promotes a safe, efficient, and resilient transportation system that serves the mobility needs of all people and freight (including walkways, bicycles, and transit), fosters economic growth and development, while minimizing fuel consumption and air pollution ([23 CFR 450.300](#)).

Mahalo for the opportunity to provide testimony on this measure.

March 24, 2026

LATE

Senator Lorraine Inouye, Chair
Senator Brandon Elefante, Vice-Chair
Members of the Senate Committee on Transportation

Re: **HB 1692_HD2 Relating to Stationary Vehicles; Traffic Safety; Duty of Approaching Vehicle**

AAA Hawai'i is proud to support House Bill 1692_HD2. If enacted, the measure would align Hawai'i's "Slow Down, Move Over" (SDMO) law with 29 states and the District of Columbia by requiring drivers approaching any stranded, stationary vehicle to move into an adjacent lane when possible, or, if unsafe or impracticable, slow to specified speeds. As amended, HB 1692 applies at "any location on the roadway, shoulder, or roadside" and prohibits motorists from exceeding designated maximum speeds based on the posted speed limit. It also prohibits operating pick-up trucks with passengers seated in bed or loading areas with minors without exception and on high speed or multi-lane highways with anyone.

Background

The first SDMO law in the United States was passed in South Carolina in 1996, after a paramedic named James Garcia was seriously injured by a passing motor vehicle. The injured victim received a traffic citation, but the driver of the striking vehicle did not. This inspired Mr. Garcia to change the law and set off a wave of similar laws across the country. By 2012, all 50 states had enacted SDMO laws, with the minimum goal to protect emergency responders working along roadsides. About 13 specifically define required speed limits or reductions in speed when passes stationary vehicles, albeit HB1692 proposes a broader standard of "slow and prudent". AAA supports both approaches.

In passing HB2030 (Act 318) in 2012, Hawaii became the 50th and final state to a SDMO law that covered emergency vehicles and tow trucks. HB 2030 required motorists to slow down and change lanes, if necessary and safe to do so, when passing a stationary emergency vehicle or tow truck. "Emergency vehicle" was defined as police or fire, ocean safety, emergency medical services, or freeway service patrol. The state later added vehicles with Sheriff Divisions, Hawaii Emergency Management Agency, County Emergency Management agencies, Civil Defense, Harbors Division, and Division of Conservation and Resources Enforcement in 2015 (HB436, Act 192).

Hawaii's current SDMO law is confusing and difficult to follow. It applies only to tow trucks and certain public agency vehicles yet expects motorists to know exactly when and where it applies. In practice, drivers often do not. SB2026 preserves existing protections for emergency vehicles while extending protections to all vehicles in distress—especially the most vulnerable road users. Unlike trained professionals, most motorists are not equipped to safely stand on the shoulder of high-speed highways.

1130 N. Nimitz Highway, Suite A170, Honolulu, HI 96817

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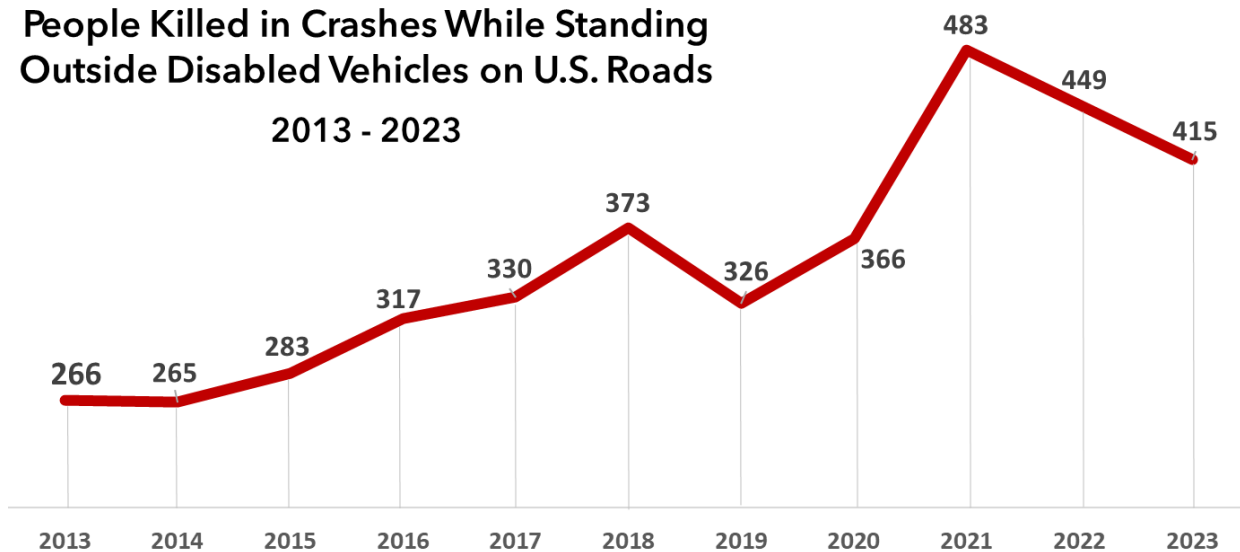
All Stationary Vehicles

HB 1692 requires a person driving a vehicle on a highway approaching any stationary vehicle that is stopped on the shoulder or roadside due to a traffic collision or vehicle maintenance or mechanical problem to approach with caution and slow to a reasonable and prudent speed and make a lane change if necessary.

The AAA Foundation for Traffic Safety (AAAFTS) reviewed the Fatality Analysis Reporting System (FARS) for the number of people killed in crashes while outside a disabled vehicle (2014-2023). In 2021, 483 truck drivers, delivery workers, motorists, and passengers were among those killed while outside of disabled vehicles on highways nationwide. Between 2014 and 2023, total number of people killed outside disabled vehicles in the US was over 3,600. Hawai'i experienced at least 9 fatalities of this type during this period, which is commensurate with other states with similar population in size.

People Killed in Crashes While Standing Outside Disabled Vehicles on U.S. Roads

2013 - 2023



SOURCE: Data from National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS). Analysis by AAA Foundation for Traffic Safety. Data from years 2014-2022 are considered final; 2023 data may be revised later.

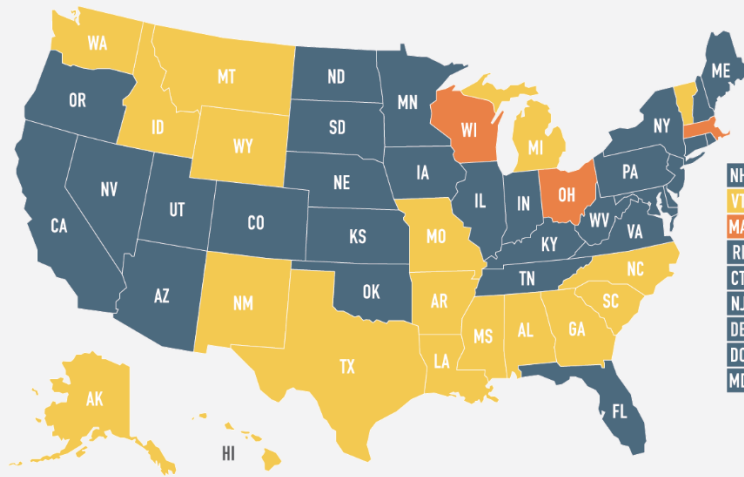
It is important to note that the AAAFTS analysis only reflects the number of people killed while outside vehicles. A separate report by the Safe Transportation Research and Education Center (SafeTREC) at University of California at Berkeley found over 1,200 individuals were killed in 2022 nationwide because, in many cases, drivers maneuvered too close or fast near parked cars, including road work vehicles or equipment. Most of these fatalities are drivers and passengers inside striking motor vehicles. While the overall concern is that drivers are approaching too fast and close to people and objects on highways, it remains clear those outside vehicles are most vulnerable to serious injury and fatal outcomes when struck by fast moving cars and trucks.

Hawai'i is in the bottom half of the nation without SDMO protections for all stopped vehicles. Since 2011, 29 states plus the District of Columbia have enacted laws requiring motorists to move over a lane and/or slow to reasonable speed when approaching disabled or stationary vehicles displaying warning signals. And more states are considering such an enhancement this year. Most states changed their laws following a 2021 report that hundreds of people are killed and thousands injured each year in crashes involving stopped or disabled vehicles. That report also showed the annual societal cost of those crashes (2016 to 2018) totaled around \$8.8 billion in medical payments, lost wages, and the less easily quantified costs of death or disability.¹ As Hawai'i continues to prioritize highway safety, comprehensive legislation is essential to ensure meaningful protection for all vulnerable road users.



Slow Down, Move Over Laws

September 2025



■ First Responders, Tow Trucks, & Others
 50 states

■ All Stopped Vehicles
 29 states & DC

■ Pending Legislation
 3 states

Pickup Trucks

AAA supports the correct use of occupant restraint systems and policies that ensure all passengers ride in appropriate, protected seating positions within a vehicle.

Riding in the open bed of a pickup truck is extremely dangerous and results in hundreds of fatalities each year, with children and teens accounting for more than half of these deaths. According to NHTSA data, passengers in cargo areas are frequently ejected or fall from vehicles during crashes, sharp turns, or sudden braking, often suffering severe head injuries or death. Pickup truck beds are not designed to transport occupants safely and offer none of the protections provided by seat belts, airbags, or reinforced passenger compartments. Measures that prohibit riding in cargo areas would help ensure passengers remain in designated seating positions equipped with proper safety protection.

Consistent with its longstanding policy on occupant protection, AAA calls on lawmakers to enact legislation prohibiting all individuals, especially minors, from riding in the cargo areas of pickup trucks. AAA further encourages states to implement educational campaigns highlighting the dangers of allowing dogs and other animals to ride unrestrained inside passenger compartments or in truck beds unless they are properly secured in animal carriers.

Comprehensive Approach

AAA recognizes that Slow Down Move Over (SDMO) laws alone will not eliminate all roadside collisions and that every driver shares responsibility for roadway safety. Equally important are strong passenger restraint and seat belt laws, which reduce the severity of injuries when crashes occur and remain one of the most effective tools for saving lives.

However, SDMO laws—such as HB 1692—provide a critical mechanism for encouraging drivers to slow down and create safe space when approaching first responders, tow operators, and other vulnerable road users on the

roadside. By reinforcing safe speed and lane-change behavior, these laws help prevent tragedies before they occur.

AAA is committed to a comprehensive approach to reducing roadside collisions nationwide. This includes promoting robust occupant protection and seat belt use, preventing dangerous driving behaviors such as impaired, drowsy, and distracted driving, increasing public awareness of SDMO requirements, supporting effective law enforcement, and advancing vehicle technologies such as in-vehicle alert and advanced warning systems.

We strongly encourage a YES vote on HB 1692_HD2.

Respectfully Submitted,

A handwritten signature in black ink that reads "Marianne Kim". The signature is written in a cursive, flowing style.

Marianne Kim
Senior Public Policy Specialist

¹ Spicer, et al. "[Frequency and cost of crashes, fatalities, and injuries involving disabled vehicles](#)". Journal of Accident Analysis & Prevention (March 2021)

HB-1692-HD-2

Submitted on: 3/23/2026 10:04:42 AM

Testimony for TRS on 3/24/2026 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Chad K Taniguchi	Individual	Support	Written Testimony Only

Comments:

WOW! This bill is great. It REQUIRES drivers who see a stopped vehicle to SLOW DOWN and to MOVE OVER one lane when it is possible and safe to do so! The discretionary "if necessary" language has been removed.

This bill will further honor the memory of the two Honolulu Police Officers killed on our freeways in separate crashes in 2011--Officers Garrett Davis and Eric Fontes. <https://www.honolulupd.org/information/motor-vehicle-safety/>.

It may be that the primary benefit of the law is public awareness and education vs enforcement. If PSAs and driving tests can educate about the law --SLOW DOWN when you see a stopped vehicle, and MOVE OVER WHEN POSSIBLE AND SAFE--that may be the main point.

Please consider for further clarity that the two objectives for this bill are to **require** other vehicles to a) MOVE OVER WHEN SAFE TO DO SO for freeways and roads with 2+ lanes in each direction and b) IF THERE ARE NOT TWO LANES IN EACH DIRECTION, THEN IT REQUIRES VEHICLES TO SLOW DOWN.

Please consider the language of [Florida - Chapter 316. 126 \(1\)\(b\)1 & 2](#) as a possible model.

(b) If an authorized emergency vehicle displaying any visual signals is parked on the roadside, a sanitation vehicle is performing a task related to the provision of sanitation services on the roadside, a utility service vehicle is performing a task related to the provision of utility services on the roadside, a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, a road and bridge maintenance or construction vehicle displaying warning lights is on the roadside without advance signs and channelizing devices, or a disabled motor vehicle is stopped and is displaying warning lights or hazard lights; is stopped and is using emergency flares or posting emergency signage; or is stopped and one or more persons are visibly present, the driver of every other vehicle, as soon as it is safe:

1. Shall vacate the lane closest to the emergency vehicle, sanitation vehicle, utility service vehicle, wrecker, road and bridge maintenance or construction vehicle, or disabled motor vehicle when driving on an interstate highway or other highway with two or more lanes traveling

in the direction of the emergency vehicle, sanitation vehicle, utility service vehicle, wrecker, road and bridge maintenance or construction vehicle, or disabled motor vehicle except when otherwise directed by a law enforcement officer. If such movement cannot be safely accomplished, the driver shall reduce speed as provided in subparagraph 2.

2. Shall slow to a speed that is 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater; or travel at 5 miles per hour when the posted speed limit is 20 miles per hour or less, when driving on a two-lane road, except when otherwise directed by a law enforcement officer.

(c) The Department of Highway Safety and Motor Vehicles shall provide an educational awareness campaign informing the motoring public about the Move Over Act. The department shall provide information about the Move Over Act in all newly printed driver license educational materials.

Thank you very much.