



**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. 1770, RELATING TO SCHOOL BUS DRIVERS.**

**BEFORE THE:
HOUSE COMMITTEE ON EDUCATION**

DATE: Tuesday, February 3, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 309

TESTIFER(S): Anne E. Lopez, Attorney General, or
Anne T. Horiuchi, Deputy Attorney General

Chair Woodson and Members of the Committee:

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

The bill: (1) requires the Department of Education (DOE) to establish a School Bus Driver Recruitment Grant Program; (2) establishes a School Bus Driver Recruitment Special Fund; (3) establishes a Repayment Signing Bonus Program; (4) establishes a School Bus Driver Outreach and Pathway Program; (5) requires a report to the Legislature; and (6) appropriates funds.

Appropriate Standards

As drafted, the bill may violate section 4 of article VII of the State Constitution ("No tax shall be levied or appropriation of public money or property made, nor shall the public credit be used, directly or indirectly, except for a public purpose. . . . No grant of public money or property shall be made except pursuant to standards provided by law."). See also *Spears v. Honda*, 51 Haw. 1, 9 (1968) (having determined that the use of public funds to provide bus transportation subsidies to sectarian and private school students was unconstitutional, the Court acknowledged the possible overlap between section 1 of article X of the State Constitution and what is now section 4 of article VII of the State Constitution).

Therefore, we recommend that the bill be amended to insert appropriate standards. Examples of existing statutes that provide standards for agencies to issue

Testimony of the Department of the Attorney General

Thirty-Third Legislature, 2026

Page 2 of 5

grants are part II of chapter 9 and sections 10-17, 210D-11, and 383-128, Hawaii

Revised Statutes (HRS).

We have attached draft standards to this testimony as a sample for your reference. The attached draft standards can be inserted on page 5, line 7, as a new subsection (c). We are happy to work with you on developing more specific standards.

Repayment of Grants

The Department also suggests that additional wording regarding the repayment of grants be included in this bill. The first new section to be added to chapter 302A, HRS, starting on page 4, line 6, can be revised to insert new subsections (d) through (h) (i.e., this would follow the new subsection (c) regarding standards for providing grants in the bill):

(d) If the recipient of a grant provided pursuant to this section fails to satisfy the work requirements in accordance with [include a subsection providing for work requirements following a grant award, or utilize the thirty-six month period to retain the signing bonus], the recipient shall repay the total amount of grant funds received as a loan repayable to the department. The repayment shall be subject to the terms and conditions set by the department, including circumstances under which recipients may be eligible for deferment or forgiveness due to hardship or inability to secure employment, as well as potential for fees for the collection of delinquent repayment.

(e) Grant funds repaid by a grant recipient pursuant to subsection (d) shall be deposited into the [an appropriate fund should be designated here].

(f) The department may accept federal funds to support the school bus driver recruitment grant program.

(g) In accordance with chapter 103D, the department may enter into written contracts with collection agencies to collect delinquent repayment of grants owed to the department pursuant to subsection (d). A collection agency that enters into a written contract with the department to collect delinquent grant repayments pursuant to this section may collect a fee from the debtor in accordance with the terms of, and up to the amounts authorized in, the written contract.

(h) The department may adopt rules pursuant to chapter 91 to implement and administer the grant program, including the terms of repayment pursuant to subsection (d).

Repayment of Signing Bonuses

Section 3 of the bill, starting on page 6, line 1, establishes a repayment signing bonus program to be administered by the DOE, authorizing and disbursing a one-time signing bonus of \$2,000 to an individual with a commercial driver's license at the time the individual is hired as a school bus driver with the DOE. The Department suggests that additional wording regarding the repayment of the signing bonus be included in the bill. The Department suggests replacing subsections (c) through (e) on page 6, lines 7 through 15, with the following:

(c) If the recipient of a signing bonus provided by subsection (a) leaves employment voluntarily or is terminated before completing thirty-six months of employment as a school bus driver with the department of education, the recipient shall repay the total amount of the signing bonus received as a loan repayable to the department. The repayment shall be subject to the terms and conditions set by the department, including circumstances under which recipients may be eligible for deferment or forgiveness due to hardship or inability to maintain employment, as well as potential for fees for the collection of delinquent repayment.

(d) Signing bonus funds repaid by a signing bonus recipient pursuant to subsection (c) shall be deposited into the [an appropriate fund should be inserted here].

(e) The department may accept federal funds to support the signing bonus program.

(f) In accordance with chapter 103D, the department may enter into written contracts with collection agencies to collect delinquent repayment of signing bonuses owed to the department pursuant to subsection (c). A collection agency that enters into a written contract with the department to collect delinquent signing bonus repayments pursuant to this section may collect a fee from the debtor in accordance with the terms of, and up to the amounts authorized in, the written contract.

(g) The department may adopt rules pursuant to chapter 91 to implement and administer the repayment signing bonus program, including the terms of repayment pursuant to subsection (c).

Typographical Errors

1. Section 2 of the bill provides that chapter 302A, Hawaii Revised Statutes (HRS), is amended by adding two new sections to subpart C of part I. Page 4, lines 3-
4. However, there is no subpart C in part I of chapter 302A, HRS. We suggest

Testimony of the Department of the Attorney General

Thirty-Third Legislature, 2026

Page 4 of 5

correcting this typographical error by replacing "part I" on page 4, line 4 of the bill, with "part II".

2. On page 4, line 7, insert "(a)" before "There".
3. On page 6, line 4 of the bill, we suggest replacing "disperse" with "disburse."

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

POSSIBLE STANDARDS FOR PROVIDING THE GRANTS IN THIS BILL

(c) Applications for grants shall be made to the department and contain the information as shall be required by rules adopted thereunder. At a minimum, the applicant shall:

- (1) Be a licensed driver;
- (2) Agree to use state funds exclusively for the purposes of this program;
- (3) Indicate capability to properly use the grant for the purpose of this program;
- (4) Comply with other requirements as the department may prescribe;
- (5) Comply with all applicable federal, state, and county statutes, rules, and ordinances;
- (6) Agree to indemnify and save harmless the State of Hawaii and its officers, agents, and employees from and against any and all claims arising out of or resulting from the use of grants for this program, and procure sufficient insurance to provide this indemnification if requested to do so by the department;
- (7) Agree to make available to the department all records the applicant may have relating to the grant, to allow state agencies to monitor the applicant's compliance with this section.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/03/2026
Time: 02:00 PM
Location: 309 VIA VIDEOCONFERENCE
Committee: EDN

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB1770, RELATING TO SCHOOL BUS DRIVERS.

Purpose of Bill: Requires the Department of Education to establish a School Bus Driver Recruitment Grant Program. Establishes a School Bus Driver Recruitment Special Fund. Establishes a Repayment Signing Bonus Program. Establishes a School Bus Driver Outreach and Pathway Program. Requires a report to the Legislature. Appropriates funds.

Department's Position:

The Hawaii State Department of Education (Department) appreciates the opportunity to provide comments on HB 1770, proposing a range of State-administered initiatives to address the statewide school bus driver shortage. While the Department supports efforts to strengthen the driver workforce, there are significant structural limitations that affect implementation of the HB 1770 provisions.

Under the Department school bus transportation contracts, services are provided by private school bus companies that supply drivers, vehicles, maintenance, training, and operational services as bundled capacity. Because school bus drivers are employees of these private contractors, the Department cannot directly administer or enforce hiring incentives, signing bonuses, repayment provisions, or employment-based requirements contemplated in HB 1770.

HB 1770 initiatives assume an employment relationship between drivers and the Department that does not exist. Implementing such measures would require restructuring the entire Departmental student transportation model to shift drivers into State employment - an action that would significantly impact procurement processes, labor obligations, and operational responsibilities.

The Department supports legislative efforts to expand the driver pipeline; however, any statutory framework must reflect the contracted service model and be designed to operate through the private carriers who employ and manage school bus drivers.

The Department thanks the Committee for the opportunity to comment on HB 1770.



HOUSE BILL 1770, RELATING TO SCHOOL BUS SERVICES

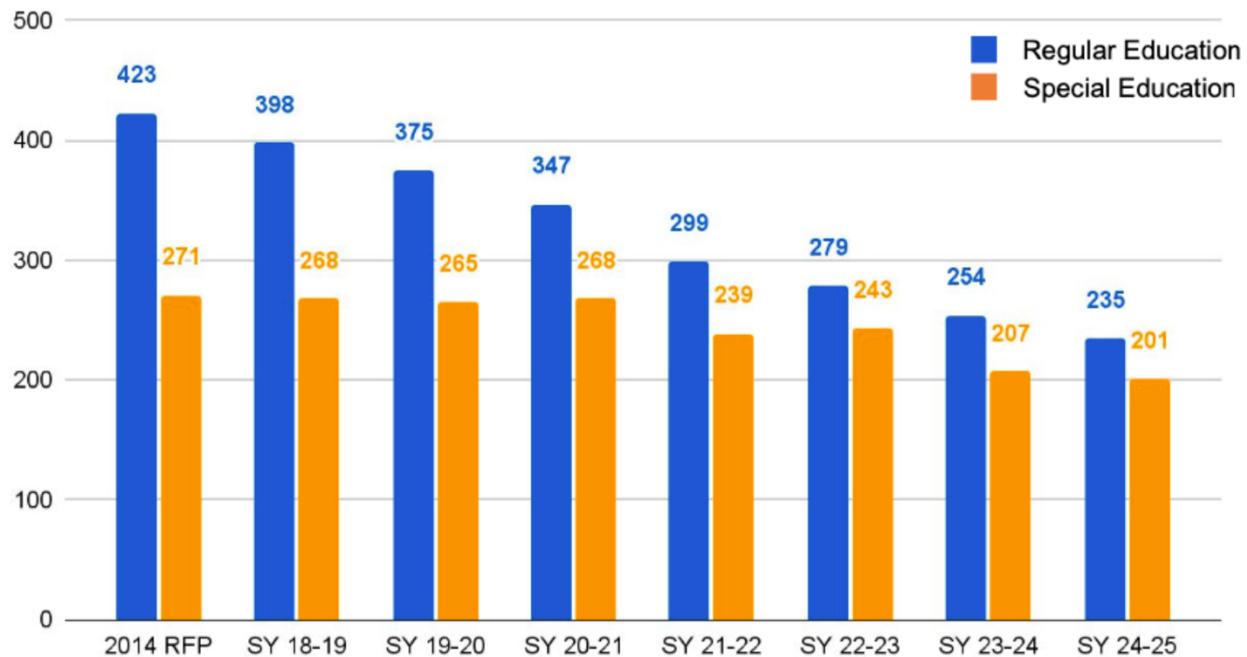
FEBRUARY 3, 2026 · EDN HEARING

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus supports HB 1770, relating to school bus drivers, which requires the Department of Education to establish a School Bus Driver Recruitment Grant Program; establishes a School Bus Driver Recruitment Special Fund; establishes a Repayment Signing Bonus Program; establishes a School Bus Driver Outreach and Pathway Program; and requires a report to the Legislature.

School bus service is essential for getting students to and from school, particularly for students who lack other transportation options or face hardship in obtaining school transportation services due to economic difficulty. Yet, chronic bus driver shortages have led to the cancellation or consolidation of many school bus routes, especially in West O'ahu and in rural and remote areas of the neighbor islands, reducing transportation options for local families.

In the decade preceding 2025, the number of bus drivers serving DOE students has fallen from 423 serving general education students and 271 drivers serving special education students in 2014 to just 235 drivers serving general education students and 201 serving special education students for the 2024-2025 school year. The department has made serious efforts to address this shortage, but student transportation remains a persistent problem that undermines learning.



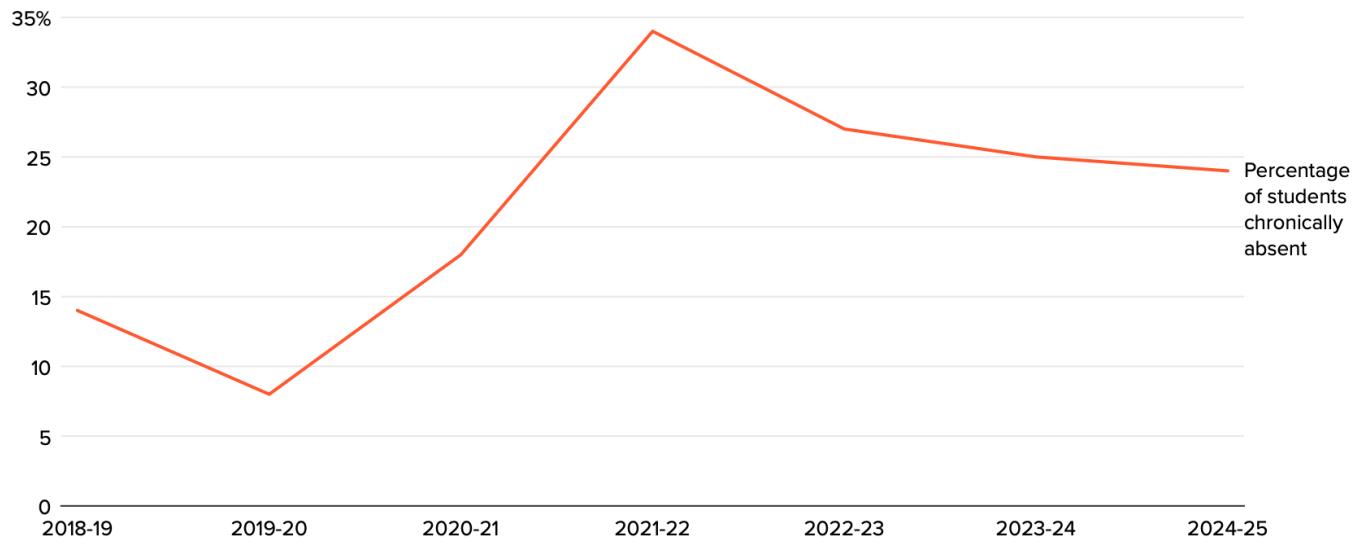
This decline has led to dramatic service disruptions, the most recent of which occurred in August of 2024 when department officials unexpectedly announced that they were temporarily suspending 108 bus routes serving middle and high school students in central O'ahu and students of nearly all grade levels on the southern and eastern portions of Hawai'i Island.

Similarly, in July of 2023, the department cancelled or suspended school bus service for fourteen schools statewide, which impacted nearly 1,400 students across O'ahu and Kaua'i. The bus driver shortage has severely impacted Hawai'i Island school communities, where county bus services do not operate as frequently as on O'ahu and where many students face commutes that can exceed one and a half hours each way.

A lack of adequate school bus transportation service exacerbates chronic absenteeism. Rates of chronic absenteeism are highest in rural, remote, and socioeconomically disadvantaged school communities. In the 2024-2025 school year, 24 percent of Hawai'i students were chronically absent from school, meaning they missed fifteen or more days of class. Numerous studies show that chronic absenteeism hampers student achievement and lowers graduation rates.

State Chronic Absenteeism Rates, 2018 to 2024

Students who are chronically absent miss 18 or more days of the school year.



Chronic absenteeism rates for the 2019-20 school year are only calculated for the first three quarters of the year because of the Covid-19 pandemic.

Chart: Megan Tagami/Civil Beat • Source: [Hawai'i Department of Education](#)

Governor Josh Green announced an emergency proclamation related to the school bus shortage on August 17, 2023, which allows the Department of Transportation to grant exemptions for the use of vehicles other than school buses to transport students and allows commercial driver's license holders with a "P" endorsement for driving passenger vehicles to operate student transportation vehicles. The order allows for alternative vehicles—such as vans and minibuses—to transport students in impacted communities. While this proclamation was significant and commendable, more needs to be done, to sustain critical bus service programs for Hawai'i's public school students and their 'ohana. This measure provides the funding necessary for innovative approaches to bus driver recruitment and retention, as well as school-level solutions to student transportation challenges that endanger the potential of our keiki.

Contact: educationcaucusdph@gmail.com • 808-679-7454

HB-1770

Submitted on: 1/30/2026 1:20:44 PM
Testimony for EDN on 2/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Megan Blazak	Individual	Support	Written Testimony Only

Comments:

Honorable Chair Woodson, Vice Chair La Chica, and Members of the Committee,

As a constituent of House District 2 in Hilo, I strongly support this measure. This legislation will address the persistent and severe shortage of qualified school bus drivers in Hawaii County. Students and families deserve ease of access to safe, reliable, and affordable school transportation. Thank you.

HB-1770

Submitted on: 1/30/2026 5:53:45 PM
Testimony for EDN on 2/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry Support

1770 HB RELATING TO SCHOOL BUS DRIVERS.	EDN	309 VIA VIDEOCONFERENCE	Feb 3, 2026 2:00 PM
--	-----	----------------------------	------------------------

HB-1770

Submitted on: 2/2/2026 1:45:53 PM
Testimony for EDN on 2/3/2026 2:00:00 PM

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

Comments:

Aloha Chair and Members of the Committee,

I **strongly support** HB1770. Reliable school bus service is essential for families like ours. **For disabled parents**, transportation can be a major barrier to ensuring our keiki attend school consistently. This is even more challenging for Kaiapuni families, as limited program sites require long-distance travel. Strengthening driver recruitment is critical to ensuring equitable access to education.

In addition, I respectfully request consideration of an amendment to establish a clear point of contact for parents and greater transparency regarding how routes and schools are prioritized, as families often experience little response from the Student Transportation Branch.

Marketing the role to parents as a position that matches their child's school schedule, and promoting it through PTA newsletters and local mom groups, could significantly strengthen recruitment efforts. Offering on-site childcare during CDL training, reaching out to retired teachers, and creating clear pathways for existing DOE staff such as cafeteria workers would further expand and diversify the pool of potential drivers.

Mahalo for your consideration.