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STATE OF HAWAI'I
DEPARTMENT OF TAXATION

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**TESTIMONY OF
GARY S. SUGANUMA, DIRECTOR OF TAXATION**

TESTIMONY ON THE FOLLOWING MEASURE:
H.B. No. 1797, Relating to Autonomous Vehicles

BEFORE THE:
House Committee on Transportation

DATE: Tuesday, February 3, 2026
TIME: 10:30 a.m.
LOCATION: State Capitol, Room 430

Chair Kila, Vice-Chair Miyake, and Members of the Committee:

The Department of Taxation (DOTAX) offers the following comments regarding H.B. 1797 for your consideration.

H.B. 1797 adds a new section to chapter 286, Hawaii Revised Statutes (HRS), requiring that motor carriers utilizing automated vehicles to transport passengers have an onboard supervisor and establish a training program to provide each supervisor with training and instruction related to the operation, capabilities, and limitations of the automated vehicle. The bill also inserts relevant definitions to chapter 286, HRS.

Part II of H.B. 1797, under chapter 235, HRS, creates a nonrefundable motor carrier vehicle supervisor training program tax credit as follows:

- The credit is equal to the "qualified expenses" of the taxpayer, up to a yet undetermined maximum per taxpayer.
- There is a yet undetermined annual aggregate cap, provided that any taxpayer who is not eligible for the credit due to the cap amount being reached, is eligible to claim the credit in the subsequent tax year.
- The director of taxation may prepare necessary forms, require the taxpayer to furnish reasonable information to determine the validity of the tax credit

claimed, and adopt administrative rules necessary to effectuate the purpose of the tax credit.

- The credit is nonrefundable and can be carried forward until exhausted.

The bill is effective on approval, with the tax credit provisions under Part II of the bill being applicable for taxable years beginning after December 31, 2025. The Act will be repealed on December 31, 2038.

First, DOTAX notes that it is unable to administer aggregate caps. Accordingly, DOTAX requests that the bill be amended to require a third party certify claims for the credit and administer the aggregate cap, or that the aggregate cap be deleted.

Second, to reduce potential waste and abuse, DOTAX recommends amending subsection (b) on page 5 of the bill so that the credit is based on a percentage of the total cost, as follows:

(b) The motor carrier automated vehicle supervisor training program tax credit shall be equal to per cent of the qualified expenses of the taxpayer, up to a maximum of \$.

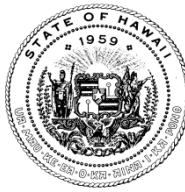
Third, DOTAX recommends that the bill be amended to limit the carryforward to a period of five years, as allowing a nonrefundable credit to be carried forward indefinitely creates challenges in tracking the credit.

Finally, DOTAX recommends that the effective date for the tax credit provisions under Part II of the bill be amended to apply to taxable years beginning after December 31, 2026, to allow time for form, instruction, and system changes, and notice to taxpayers.

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

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

**STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Tuesday, February 3, 2026

10:30 a.m.

State Capitol, 430

HB1797

RELATING TO AUTONOMOUS VEHICLES

House Committee on TRANSPORTATION

The Department of Transportation offers comments on H.B. 1797 which requires an automated vehicle used by a motor carrier to transport passengers commercially to have a human supervisor present in the vehicle. The bill also establishes an income tax credit to incentivize the training of supervisors for autonomous vehicles and sunsets on 12/31/2038.

Currently, Autonomous Vehicle activity is limited to permitted testing. Act 21 (SLH2020) established within the department of transportation an autonomous vehicles testing pilot program. The program allows for the testing of autonomous vehicles on any public road in the State provided that a conventional human driver shall remain physically present in the vehicle at all times in case the conventional human driver needs to intervene, supervise, or prevent a collision or other issues during testing.

Building upon Act 21, Chapter 19-150, Hawaii Administrative Rules (HAR), entitled "Autonomous Vehicle Regulations", provides clear definitions for industry related terms and outlines the department's permitting process for testing. The Department recommends amending the current definitions in H.B. 1797 to match those provided in Chapter 19-150, HAR, for continuity.

Thank you for the opportunity to provide testimony.



February 3, 2026

The Honorable Darius Kila
Chair
House Committee on Transportation
Room 322, Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

The Honorable Tyson Miyake
Vice Chair
House Committee on Transportation
Room 421, Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 968

RE: HB 1797 - *Relating to Autonomous Vehicles*:

Dear Chair Kila, Vice Chair Miyake, and members of the committee:

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advancements – **I respectfully urge you to oppose HB 1797** to address the concerns outlined in this letter.

Specifically, we are concerned that the permanent in-vehicle supervisor mandate and restrictive proposed licensing regime will unnecessarily prevent autonomous vehicles (AVs) from delivering the safety, mobility, and accessibility benefits that Hawai'i residents deserve. Placing unnecessary and restrictive rules on where and when autonomous vehicles can operate risks hindering innovation and delaying the deployment of AVs in Hawai'i. As a result, this bill risks blocking a technology that could dramatically reduce roadway fatalities, decrease transportation emissions, and drive economic growth.

Hawai'i should reject hard-coding barriers to autonomous vehicle deployment

Hawai'i should not move forward with HB 1797 as written. While the state has an opportunity to advance road safety and transportation innovation, this bill instead entrenches policies that would delay or effectively block real autonomous vehicle deployment. By mandating a licensed human supervisor on board every passenger-carrying automated vehicle *"at all times"* through 2038 the bill eliminates the possibility of fully driverless passenger service in Hawai'i for over a decade, locking AVs into an outdated regulatory framework that bears little resemblance to how the technology is actually developing.

At a moment when autonomous vehicles are already providing over 250,000 paid rides each week in U.S. cities,¹ HB 1797 would keep Hawai‘i stuck in a pre-deployment mindset, sacrificing consumer safety gains, mobility access, and long-term affordability. Rather than enabling a performance-based, safety-first path to deployment, the bill hard-codes barriers that limit competition and delay the benefits of a technology that is rapidly becoming an everyday transportation option.

Hawai‘i has already recognized AV technology's potential. The state launched its first autonomous electric shuttle at UH Manoa in partnership with HDOT in 2023 and has invested \$6 million in connected vehicle technology testing along Nimitz Highway and Ala Moana Boulevard.² HB 1797 would undermine that progress by ensuring no operator can move beyond the supervised-testing phase, regardless of demonstrated safety performance, for at least 12 years.

AVs will bring safer streets, reduce the number of accidents, and save lives

The National Highway Traffic Safety Administration released crash data reporting nearly 43,000 lives were lost in traffic-related fatalities in 2022.³ According to Hawai‘i Department of Transportation data, traffic crashes caused 102 fatalities in 2024 – a 10% increase over 2023 – and 2025 is on pace to be even deadlier, with 106 lives lost through October alone.⁴ The first six months of 2025 saw a **48% increase** in traffic fatalities compared to the same period in 2024, the largest increase of any state.⁵

Research shows that at least 90% of car crashes are caused by human error.⁶ By removing human error from the roads, autonomous vehicles can help eliminate the leading causes of crashes and fatalities. Across more than 127 million rider-only miles in Los Angeles, San Francisco, Phoenix, and Austin, autonomous ridesharing services

¹ Lora Kolodny and Jennifer Elias. "Waymo reports 250,000 paid robotaxi rides per week in U.S." CNBC, Apr. 24, 2025. <https://www.cnbc.com/2025/04/24/waymo-reports-250000-paid-robotaxi-rides-per-week-in-us.html>

² Hawaii Department of Transportation. "HDOT, UH Manoa Launch First Autonomous Electric Shuttle." 2023. <https://hidot.hawaii.gov/administration/hdot-uh-manoa-launch-first-autonomous-electric-shuttle/>; Hawaii Department of Transportation. "HDOT Launches Connected Vehicle Pilot on Ala Moana Boulevard/Nimitz Highway." <https://hidot.hawaii.gov/highways/hdot-launches-connected-vehicle-pilot-on-ala-moana-boulevard-nimitz-highway/>

³ National Highway Traffic Safety Administration. "NHTSA Estimates for 2022 Show Roadway Fatalities Remain Flat After Two Years of Dramatic Increases." Apr. 20, 2023. <https://www.nhtsa.gov/press-releases/traffic-crash-death-estimates-2022>

⁴ Hawaii Department of Transportation. "Traffic Fatalities Up 10% from 2023." Dec. 31, 2024. <https://hidot.hawaii.gov/blog/2024/12/31/traffic-fatalities-up-10-from-2023/>; Hawaii Department of Transportation. "Statewide traffic deaths top last year's total." Oct. 24, 2025. <https://hidot.hawaii.gov/blog/2025/10/24/statewide-traffic-deaths-top-last-years-total/>

⁵ Honolulu Civil Beat. "Can Hawaii Turn Around Another Deadly Year on the Roads?" Oct. 2025. <https://www.civilbeat.org/2025/10/can-hawai%CA%BBi-turn-around-another-deadly-year-on-the-roads/>
⁶ Santokh Singh. *Critical Reasons for Crashes Investigated in the National Motor Vehicle Crash Causation Survey*. National Highway Traffic Safety Administration, Feb. 2015. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812115>

recorded 90% fewer serious or fatal crashes, 82% fewer airbag-deploying crashes, and 81% fewer injury crashes than human drivers.⁷

With more than 127 million autonomous miles logged nationwide, some AV operators report ~90% fewer serious-injury or fatal crashes.⁸ If that reduction translates to Hawai‘i, their large-scale adoption could **prevent the majority of the more than 100 lives lost on Hawai‘i roads each year**. Every year that HB 1797's blanket supervisor mandate delays fully driverless deployment is a year those safety gains remain out of reach.

AVs will also increase transportation options for communities that are currently underserved or face mobility challenges

In neighborhoods where public transit options are scarce, autonomous vehicles can increase transportation options and connect residents to essential services.⁹ Hawai‘i's transportation challenges make this especially urgent. Public transit within the neighbor islands is limited. The Big Island's Hele-On Bus operates only select routes between major towns, and Kauai has no bus service on Sundays.¹⁰ Even on Oahu, bus routes do not reach many rural and suburban communities. For residents who cannot drive, whether due to age, disability, or cost, these gaps can mean isolation from jobs, healthcare, and daily necessities. Autonomous vehicles could fill these within-island transit gaps by providing affordable, on-demand mobility where fixed-route service falls short.

Mobility challenges and inaccessible transit options present significant obstacles for people with disabilities trying to reach jobs and education.¹¹ Public transit and paratransit options do not fully meet these communities' needs, with unreliable service times and longer commutes to access pharmacies, hospitals, and schools.¹² Research shows that AVs can improve paratransit services, making them more affordable and flexible for riders because they can provide customizable, curb-to-curb service.¹³ A study

⁷ Waymo. *Waymo Safety Impact*. Accessed Jan. 23, 2025. <https://waymo.com/safety/impact>

⁸ Waymo. "Safety." Accessed Dec. 2025. <https://waymo.com/safety/>

⁹ Jonathan Andrews. *How AVs Are Transforming Public Transportation*. Cities Today, 2023. <https://media.maymobility.com/May-Mobility-Cities-Today-AVs-Transforming-Public-Transportation-Case-Study.pdf>

¹⁰ Hele-On Bus. "Bus Schedules and Maps."

<https://www.heleonbus.hawaiicounty.gov/getting-around/bus-schedules-and-maps>; Kauai Bus. "Bus Schedules." <https://www.kauai.gov/Government/Departments-Agencies/Transportation/Bus-Schedules>

¹¹ Dominic Modicamore et al. *Economic Impacts of Removing Transportation Barriers to Employment for Individuals with Disabilities Through Autonomous Vehicle Adoption*. ICF and National Disability Institute, Dec. 30, 2022.

<https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsremovingtransportationbarriers.pdf>

¹² TransitCenter. *The State of Transit Equity: SF Bay Area*.

<https://transitcenter.org/wp-content/uploads/2021/06/BayAreaFactSheet.pdf>

¹³ Olivia Fiol and Sophia Weng. "Shared Autonomous Vehicles Could Improve Transit Access for People with Disabilities If Regulated Appropriately." *Urban Wire*, Oct. 4, 2022.

<https://www.urban.org/urban-wire/shared-autonomous-vehicles-could-improve-transit-access-people-disabilities-if-regulated>

by the National Disability Institute found that widespread adoption of AVs could connect people with disabilities with over 4 million jobs.¹⁴

Hawai‘i’s senior population has grown to **21.5% of the state’s total** – significantly above the national average of 18% – with the share projected to reach 24.4% by 2030.¹⁵ Many older residents across the islands face limited options to reach healthcare, groceries, and other essential services within their communities. Autonomous mobility services could provide affordable, reliable transportation for these residents, but only if Hawai‘i allows the technology to advance beyond a permanent supervisor mandate.

AVs promote sustainability efforts

Autonomous vehicles also promote sustainable transportation systems. Research shows that autonomous vehicles can be up to 20% more fuel efficient than human-driven vehicles.¹⁶ Since autonomous vehicles are programmed to follow traffic rules and speed limits, they ultimately use less energy. Most AVs are also predicted to be electric, making them a cleaner transportation option than vehicles using internal combustion engines.¹⁷

Deploying autonomous vehicles can help Hawai‘i achieve its ambitious climate goals. Transportation accounts for approximately half of Hawai‘i’s total greenhouse gas emissions.¹⁸ Hawai‘i has committed to reducing emissions 50% below 2005 levels by 2030 and reaching net-negative emissions by 2045, and was the first state to adopt a 100% renewable energy portfolio standard.¹⁹ Adopting cleaner, more efficient autonomous vehicles can meaningfully contribute to meeting these targets.

The restrictions placed on the deployment of autonomous vehicles in HB 1797 are unnecessary and risk delaying the deployment of life-saving technology. Autonomous vehicles present tremendous opportunities to make Hawai‘i roads safer and cleaner while expanding transportation options and economic opportunities for Hawai‘i residents. States like California, Arizona, and Texas have already implemented clear,

¹⁴ Dominic Modicamore et al. Dec. 30, 2022.

¹⁵ Hawaii DBEDT. "Hawaii Population Characteristics 2024."

https://files.hawaii.gov/dbedt/census/popestimate/2024/state-county-char/Highlights_Hawaii-Population-Characteristics-2024.pdf; Hawaii DBEDT. "Population and Economic Projections for the State of Hawaii to 2050." Apr. 2024.

https://files.hawaii.gov/dbedt/economic/data_reports/2050-long-range-projections/2050-long-range-projections.pdf

¹⁶ Southwest Research Institute. "SwRI Achieves 20% Improvement in Vehicle Fuel Efficiency With Connectivity, Automation." Oct. 6, 2020.

<https://www.swri.org/newsroom/press-releases/swri-achieves-20-improvement-vehicle-fuel-efficiency-connectivity-automation>

¹⁷ Richard Nunno. *Autonomous Vehicles: State of the Technology and Potential Role as a Climate Solution*. Environmental and Energy Study Institute, Jun. 24, 2021.

<https://www.eesi.org/papers/view/issue-brief-autonomous-vehicles-state-of-the-technology-and-potential-role-as-a-climate-solution>

¹⁸ Hawaii State Energy Office. "Transportation." <https://energy.hawaii.gov/transportation/>

¹⁹ Hawaii Climate Change Portal. "Goals and Progress." <https://climate.hawaii.gov/hi-mitigation/goals-and-progress/>

performance-based frameworks that allow safe driverless operations and promote innovation without compromising oversight.

For these reasons, we respectfully ask that you **oppose HB 1797**. We are more than happy to be a resource as you continue working on this issue, and thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert" followed by a surname.

Robert Singleton
Senior Director of Policy and Public Affairs, California and US West

DATE: February 3, 2026

TO: Representative Darius Kila
Chair, Committee on Transportation

FROM: Tiffany Yajima

RE: **H.B. 1797 - Relating to Autonomous Vehicles**
Hearing Date: Tuesday, February 3, 2026 at 10:30 a.m.
Conference Room: 430

Dear Chair Kila, Vice Chair Miyake, and Members of the Committee:

On behalf of the Alliance for Automotive Innovation (“Auto Innovators”) we submit this testimony in **opposition** of H.B. 1797, Relating to Autonomous Vehicles.

The Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – the association is committed to a cleaner, safer and smarter personal transportation future.

Automakers have invested heavily in the research, development, and testing of autonomous vehicle (AV) technologies, recognizing their long-term potential to improve driver and traffic safety and expand mobility options.

Auto Innovators is concerned that this bill may conflict with existing statutes and administrative rules that regulate autonomous vehicle testing in Hawaii. Act 21 (2020) established an AV testing pilot program within the Department of Transportation. Under that law, current testing requirements already mandate that a “conventional human driver” be present in the vehicle.

Hawaii has not fully authorized an AV deployment program, and the regulatory framework for commercial driverless operations is still being developed. Under existing law, driverless passenger service is not permitted. As a result, the restriction on driverless passenger service may be duplicative or inconsistent with the framework already in place, creating confusion for companies seeking to test AV technology in the state. Therefore, Auto Innovators believes it may be premature to prohibit driverless vehicles before the state has established standards and oversight to govern their use.

For these reasons we ask you to hold this bill. Thank you for the opportunity to submit this testimony.

TAX FOUNDATION OF HAWAII

735 Bishop Street, Suite 417

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: NET INCOME, Credit to Train Supervisors of Automated Vehicles

BILL NUMBER: HB 1797

INTRODUCED BY: LEE, M., AMATO, BELATTI, GEDEON, GRANDINETTI, ILAGAN, KILA, OLDS, SOUZA

EXECUTIVE SUMMARY: Requires an automated vehicle used by a motor carrier to transport passengers commercially to have a human supervisor present in the vehicle. Establishes an income tax credit to incentivize the training of supervisors for autonomous vehicles.

SYNOPSIS: This bill will require a human supervisor on board an automated vehicle used to transport passengers. A nonrefundable income tax credit is proposed for expenses incurred to establish and maintain a supervisor training program for such supervisors.

EFFECTIVE DATE: Part II tax credit shall apply to taxable years beginning after December 31, 2025. This Act to be repealed on December 31, 2038.

STAFF COMMENTS: Our comments address only the income tax credits in Part II, that proposes to add a new sec 235, HRS.

Firstly, Part II of this measure contains several blanks which make vetting in its current form difficult.

We note that the Rules of the House and of the Senate specify that proceedings are to follow Mason's Manual of Legislative Procedure published by the National Conference of State Legislatures. Mason's Manual specifies, in section 416-8 of its 2020 edition, that "When proposals containing blanks are introduced, these must be filled before other motions to amend are entertained."

Part II proposes a nonrefundable income tax credit for qualified expenses to establish and maintain a supervisor training program for the proposed requirement to have a human supervisor present in an automated vehicle that transports passengers.

Lawmakers need to remember two things. First, the tax system is the device that raises the money that they, lawmakers, like to spend. Using the tax system to shape social policy merely throws the revenue raising system out of whack, making the system less than reliable as there is no way to determine how many taxpayers will avail themselves of the credit and in what amount. The second point to remember about tax credits is that they are nothing more than the expenditure of public dollars, but out the back door. If, in fact, these dollars were subject to the appropriation process,

would taxpayers be as kind about the expenditure of these funds when there isn't enough money for social service programs and education?

Utilizing tax credits other than to alleviate an excessive tax burden cannot be justified and is of a questionable benefit relative to the cost for all taxpayers. If lawmakers want to train automated vehicle supervisors, perhaps a direct appropriation to subsidize that cost would be more accountable and transparent. By proposing a tax credit for taxpayers, the measure incentivizes taxpayers to individually develop training programs, without uniform guidelines that would result in inconsistent standards.

Furthermore, the additional credit would require changes to tax forms and instructions, reprogramming, staff training, and other costs that could be massive in amount compared to the loss in revenue from the credit, especially since the credit proposed could be a very modest amount. A direct appropriation may be a far less costly method to accomplish the same thing.

Digested: 2/1/2026



February 2, 2026

Honorable, Darius K. Kila, House Committee on Transportation, Chair
Honorable, Tyson K. Miyake, House Committee on Transportation, Vice Chair
Honorable Members of the House Committee on Transportation

RE: HB 1797- Automated Vehicles; Motor Carrier Safety; Regulation; Income Tax Credit

Chair Kila,

My name is Ana Tuiasosopo, and I am a Trustee and District Representative for the International Union of Operating Engineers (IUOE) Local 3, representing heavy equipment operators, mechanics, surveyors, and other skilled tradespeople in Hawai'i's construction industry. I submit comments regarding HB 1797.

As drafted, the bill applies automated-vehicle supervisory requirements only to motor carriers transporting passengers. Under HRS Chapter 286, however, motor carriers are regulated based on use in commerce, not solely on whether passengers are present. Non-passenger motor carriers—such as those transporting construction materials, equipment, freight, or other property—often operate:

- Larger and heavier vehicles;
- In mixed traffic environments;
- In close proximity to workers and the general public.

From a safety and regulatory perspective, the risks associated with automated operation of non-passenger motor carrier vehicles are at least comparable to those involving passenger transport. To address this issue while preserving the bill's structure and intent, I respectfully propose the following limited amendment to Chapter 286:

Add a new section to Part XI, parallel to the passenger provision:

§286- Automated vehicles; non-passenger motor carriers.

(a) Any automated vehicle used by a motor carrier to transport property, equipment, or materials, and not passengers, shall have a supervisor on board at all times.

(b) A motor carrier that uses an automated vehicle to transport property, equipment, or materials shall:

- (1) Ensure that each supervisor is properly licensed to operate the vehicle; and
- (2) Establish a program to provide each supervisor with training and instruction related to the operation, capabilities, and limitations of the automated vehicle.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink.

Ana Tuiasosopo
District Representative, Trustee

HB-1797

Submitted on: 1/30/2026 8:41:51 PM
Testimony for TRN on 2/3/2026 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee members,

Autonomous vehicles, once the provence of science fiction, are now a reality. It's really exciting. We need to adapt to and accept this rapidly moving change. This bill traps us. Mandating human drivers for autonomous vehicles will HAMPER the adoption and proliferation of this technology in Hawaii. Let's not be afraid to embrace the future!

I STRONGLY URGE the committee to **REJECT** this bill!

HB-1797

Submitted on: 2/2/2026 1:04:53 PM
Testimony for TRN on 2/3/2026 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Luca Cuniberti	Individual	Support	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and committee members.

Mahalo for the chance to testify today regarding HB 1797.

While this may not be its intended purpose, this bill would create a pathway to connect countless rural and pedestrian-unfriendly communities across Hawai'i. By passing this bill, we open up the door for county transit agencies to utilize these vehicles to operate demand-responsive transportation networks in areas such as Pūpūkea, Waialua, Wai‘anae, Hawai'i Kai, ‘Āhuimanu, Makakilo, Kalaeloa, and Mākaha Valley, just to name a few on O'ahu alone. There are no doubt more places like this across the state of Hawai'i.

I hope you will vote to allow these autonomous vehicles to begin training on our roads to help establish this vital extension to our public transportation network.

Mahalo,

Luca Cuniberti | North Shore O'ahu Transit advocate