

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

**ON THE FOLLOWING MEASURE:
S.B. NO. 2146, RELATING TO TRAFFIC INFRACTIONS.**

**BEFORE THE:
SENATE COMMITTEES ON JUDICIARY AND ON TRANSPORTATION**

DATE: Tuesday, February 3, 2026 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 016

TESTIFER(S): Anne E. Lopez, Attorney General, or
Tiffany R. Chang or Stuart N. Fujioka, Deputy Attorneys General

Chairs Rhoads and Inouye and Members of the Committees:

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

This bill establishes a task force, convened by the Judiciary, to examine Finland's income-based scaled system for assessing speeding-related traffic fines and to determine whether, and how, a similar system could be implemented in this State.

The bill designates the Attorney General, or the Attorney General's designee, as a member of the task force. We note, however, that the majority of traffic infractions in the State are prosecuted by the county prosecuting attorneys' offices rather than by the Department. As such, those offices may be better suited to provide practical insight into how adjustments to the fine system could impact the prosecution of these offenses. Therefore, we recommend substituting the Attorney General's participation on the task force with representation from the county prosecuting attorneys' offices.

In addition, under the current statutory framework, offenders fined for violations of the State Traffic Code, including speeding offenses, may be assessed a trauma system special fund surcharge pursuant to section 291C-2, Hawaii Revised Statutes (HRS). The Trauma System Special Fund is administered and expended by the Department of Health to subsidize the costs of the State Trauma System, section 321-22.5, HRS. Additionally, offenders cited for violating section 291C-104, HRS (speeding in a school zone or construction area), are assessed an additional surcharge that is

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deposited into the Safe Routes to School Program Special Fund, which supports the Safe Routes to School Program administered by the Department of Transportation, sections 291C-3 to 291C-5, HRS.

Because any modification to the fines assessed for speeding violations may affect funds deposited into these special funds, we recommend including representatives from the Department of Health and the Department of Transportation as members of the task force.

Thank you for the opportunity to provide comments.



Testimony for Hawai'i Appleseed Center for Law and Economic Justice

Support for SB2146 - Relating to Traffic Infractions

Committee on Judiciary (JDC) and Committee on Transportation (TRS)

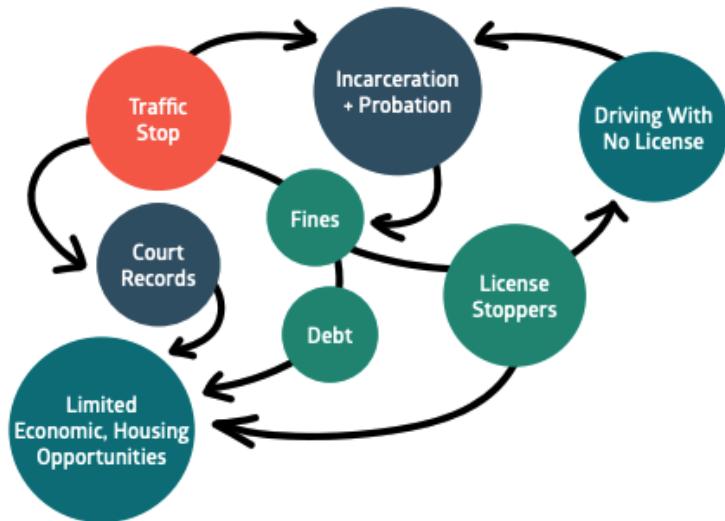
Tuesday, February 3, 2026 at 10:00AM

Dear Chairs, Vice Chairs, and members of the JDC and TRS committees,

Mahalo for the opportunity to express **SUPPORT for SB2146**, which would establish a Traffic Fines Task Force to examine the Finnish tiered traffic fines system and determine whether a similar system could be implemented in the State of Hawai'i.

Traffic stops are often framed as minor or routine interactions. In reality, they can serve as entry points into a web of interrelated consequences that extend far beyond the initial citation. The financial impacts of traffic citations can be particularly burdensome for low-income individuals. A single traffic ticket can impose significant financial strain on those who are already struggling to make ends meet, often leading to a cascade of missed payments and debt.

How Traffic Stops Can Lead to Cycles of Poverty



For example, unpaid tickets are typically sent to debt collectors, which can lead to damage to an individual's credit score. Debt collectors can also add collection fees and interest to the original ticket amount, which can make it even more challenging to pay the ticket off. If left unpaid, debt can lead to legal consequences (such as potential court appearances and wage garnishment), difficulty in obtaining government services (such as vehicle registration), as well as negative impacts to employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

As such, traffic fines can exacerbate economic hardship, pushing families deeper into debt and making it more difficult for them to meet basic needs. For example, a 2018 Alabama Appleseed report found that 38 percent of people with fines for violations such as low-level vehicle infractions and non-payment of exorbitant court fees ended up committing more serious crimes, such as selling drugs, illegal sex work, or

robbery, to raise the needed money.¹ This reflects a troubling cycle where minor infractions can escalate into more serious criminal behavior, driven by financial desperation.

In early 2025, Hawai'i Appleseed released a policy report, *Beyond the Ticket*, which examined the negative impacts of traffic enforcement and provided recommendations for a more equitable approach to roadway enforcement.² The report included a recommendation – similar to SB2146 – to explore the implementation of a traffic fines and fees system based on income, instead of using flat fees. This not only ensures that penalties are equitable, but also maintains compliance by making fines manageable for all.

Ultimately the task force resulting from SB2146 could lead to implementing strategies that would:

- Shift away from enforcement practices that prioritize punishment over safety;
- Reduce the risk of unnecessary criminalization stemming from minor traffic violations; and
- Provide a more proportional and humane approach to traffic enforcement that reflects Hawai'i's values.

In summary, traffic enforcement, particularly for minor infractions, should not be a pathway to poverty or instability. SB2146 is a thoughtful, evidence-based reform that acknowledges the real-world consequences of traffic stops and seeks to reduce preventable harm while maintaining public safety.

Mahalo for the opportunity to testify on this important measure.



Abbey Seitz
Hawai'i Appleseed Center for Law and Economic Justice
Director of Transportation Equity

¹ Nelson, Leah, Frank Knaack and Dana Sweeney, "Under Pressure: How fines and fees hurt people, undermine public safety, and drive Alabama's racial wealth divide," Alabama Appleseed Center for Law and Justice, 2018.

<https://alabamaappleseed.org/wp-content/uploads/2018/10/AA1240-FinesandFees10-10-FINAL.pdf>

² Seitz, A. and Gilliam, T. "Beyond the Ticket: Recommendations for a More Equitable Traffic Enforcement System," Hawai'i Appleseed Center for Law and Economic Justice, March 2025.

https://static1.squarespace.com/static/601374ae84e51e430a1829d8/t/67c0cf0aceba832254eb5391/1740689172475/Beyond+The+Ticket_FINAL.pdf



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JOINT SENATE COMMITTEE HEARING
JUDICIARY and TRANSPORTATION
Tuesday - Feb 3, 2026 - 10:00am

LATE

Hawai'i Bicycling League Supports SB 2146, relating to Traffic Infractions

Aloha Chair Rhoads, Chair Inouye and members of the Committee,

My name is Eduardo Hernandez and I am the Advocacy Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

HBL strongly supports SB 2146, to study how a tiered structure for speeding infractions, like one used in Finland, can create a more robust and equitable system to deter speeding. As vulnerable road users, people who bike are disproportionately affected by speeding vehicles, and too often are seriously injured or killed. Speeding remains one of the most difficult driver behaviors to curtail, accounting for 30%, or 12,000 of all the traffic fatalities nationwide in 2023, according to the U.S. Department of Transportation.

But that same year speed was a factor in 58% of Hawai'i traffic fatalities — the highest in the country by 13 percentage points above Rhode Island. In 2025, Hawai'i had the deadliest year in decades on our roadways. Meanwhile in 2024, Helsinki, the capital of Finland, with a population of nearly 700,000 residents went a full year without a single traffic fatality. They did this through a combination of methods, including slowing allowable speeds and a tiered traffic infraction system that incentivizes drivers to slow down.

In Hawai'i, we have adopted Vision Zero as a traffic safety goal at the State and County levels, but we are not realizing the intended goals. Studying the model that Finland uses could raise awareness for all road users about the need to better manage speeding, as well as identify practical solutions that Hawai'i can implement for safer outcomes.

I urge you to pass SB 2146 and move it along for further consideration this legislative session.

Mahalo for the opportunity to share testimony on this important public safety matter..

S/Eduardo Hernandez

Eduardo Hernandez
Advocacy Director
Hawai'i Bicycling League

SB-2146

Submitted on: 1/29/2026 3:45:08 PM
Testimony for JDC on 2/3/2026 10:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Janet Teare | Individual | Support | Written Testimony Only |

Comments:

Thank you for supporting this bill.

SB-2146

Submitted on: 1/30/2026 9:38:02 AM
Testimony for JDC on 2/3/2026 10:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Megan Blazak | Individual | Comments | Written Testimony Only |

Comments:

Honorable Chairs Rhoads and Inouye, Vice Chairs Gabbard and Elefante, and Members of the Committees,

As a constituent of Senate District 4, I provide the following comments on the proposed Traffic Fines Task Force:

If this measure is passed, the task force should consider all types of reforms to the traffic fine system and not limit the scope of inquiry to a tiered-fine system tied to income. There are superior approaches to traffic enforcement and punishment than a complicated system tied to an individual's income. A tiered-fine system presents many fundamental problems and is likely to cause unintended consequences and additional costs to taxpayers without achieving the objective of reducing the occurrence of speeding on public roads. For these reasons, the proposed task force should broaden the scope of its inquiry to include other types of traffic enforcement reforms.

For example, other states such as New Jersey, use a "points" system where certain traffic infractions, including speeding, result in points being allocated to an individual driver's license. Points accumulate against the individual driver's license if the driver is involved in subsequent infractions. When a certain threshold is met after numerous infractions, then the driver faces revocation of their license.

A system such as this would allow the existing flat fine system to remain in place while creating a more effective deterrent for habitual speeders. The advantage of a "points" program is that it is based on objective information, can be fairly enforced across all drivers, and directly influences a driver's change in behavior. This type of program is known to be feasible and effective based on demonstrated success in other states that have had programs like this for decades.

Without undertaking a task force, it is obvious that a tiered-fine system will be costly and complex for the State to administer. First, the notion that every individual's income in the state would be disclosed to law enforcement for the purposes of traffic enforcement is an unnecessary and improper administrative burden for numerous State agencies, including police, taxation, and the courts.

Second, disclosure of an individual's income would create significant risk to citizens' privacy and generate additional compliance and cybersecurity costs for all of the agencies involved in

administering such a program. A security breach could open the State up to civil action and liability claims from citizens, which would further add to the costs of administering such a program.

Third, a tiered-fine system may cause citizens to evade income reporting mechanisms, which may increase the occurrence of tax filing irregularities and, potentially, fraud. This is not in the best interest of the State and could result in lost tax revenue as well as increased tax compliance and investigation costs.

Fourth, such a program introduces myriad questions that the State is not equipped to address using limited taxpayer resources, such as:

1. For individuals who file their taxes jointly, how would the State allocate income to those individuals?
2. Would the State make every citizen self-certify their income separate from their tax filings?
3. How would the State fine citizens who are not required to file a state income tax return?
4. Younger aged drivers tend to earn less income than middle-aged drivers; however, younger drivers are considered a "higher risk" on the roads due to inexperience and may be more likely to speed. How would a tiered fine program address this disparity?
5. Individual income filings lag the year in which the income is earned, so would individuals be fined in the current year based on last year's income? If so, what if the individual has a significant increase or decrease in income year-to-year?
6. How would the State fine visitors from the U.S. and internationally whose income information is not available?

There are many more questions that will be raised during the task force inquiry that I expect that the State would not be inclined to answer due to the significant cost to taxpayers. Based on the foregoing, it is clear the Legislature's resources would be better spent considering other programs that have proven efficacy and are easier to implement.

For these reasons, if the task force is established, please consider widening the scope of inquiry to all types of driving infraction deterrent programs. The task force should prioritize cost-efficacy for the taxpayer to achieve the beneficial objective of reducing the occurrence of habitual speeding on public roads. Thank you.