

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

Tuesday, February 3, 2026
3:00 PM
State Capitol, 229

SB2429
RELATING TO TRAFFIC SAFETY

Senate Committee on Transportation

The Department of Transportation (DOT) strongly supports Senate Bill 2429, which establishes a framework for the use of intelligent speed assistance technology for habitual speeders.

Speeding continues to be a significant contributing factor to traffic fatalities and serious injuries on our roadways. According to our preliminary 2024 state data, 42 percent of Hawaii's traffic fatalities were speed-related. This bill presents an innovative approach to addressing the persistent issue of habitual speeding, which poses a serious threat to public safety.

The proposed framework for court-ordered installation of intelligent speed assistance (ISA) technology in vehicles of repeat offenders is a proactive measure that can potentially save lives and prevent injuries. By utilizing advanced technology to assist drivers in adhering to speed limits, we can create a safer driving environment for all road users.

We particularly appreciate the bill's emphasis on privacy protections, ensuring that the implementation of this technology respects individual rights while prioritizing public safety. Additionally, the requirement for a report to the Legislature on the effectiveness of the program will provide valuable data to assess its impact and guide future policy decisions.

The DOT views this bill as a complementary measure to our existing speed management strategies, including increased fines for speeding in school zones and the installation of traffic calming measures in high-risk areas. By targeting habitual speeders with this technological intervention, we can address one of the most dangerous segments of drivers on our roads.

We believe that Senate Bill 2429 represents a forward-thinking approach to traffic safety that aligns with our department's mission to reduce traffic fatalities and serious injuries. The use of ISA technology has the potential to create lasting behavioral changes in habitual speeders, contributing to a culture of safer driving in Hawaii.

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



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 3, 2026

TO: Senator Lorraine R. Inouye
Chair, Committee on Transportation

Senator Brandon Elefante
Vice Chair, Committee on Transportation

FROM: Tiffany Yajima

RE: **S.B. 2429 - Relating to Traffic Safety**
Hearing Date: Tuesday, February 3, 2026 at 3:00 p.m.
Conference Room: 229

Dear Chair Inouye, Vice Chair Elefante, and Members of the Committee:

On behalf of the Alliance for Automotive Innovation (“Auto Innovators”) we submit these **comments** supporting the intent of S.B. 2429, Relating to Traffic Safety and offer suggested amendments to clarify automotive responsibility and rights.

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.

The intent of this measure is to allow courts to designate certain drivers as habitual speeders and to allow courts to require Intelligent Speed Assistance (ISA) in the vehicles of those who repeatedly engage in dangerous speeding behavior. Speeding is one of the most persistent and preventable causes of serious crashes, injuries, and fatalities on our roads. Auto Innovators supports efforts like this to reduce dangerous driving behavior.

Auto Innovators respectfully requests clarifying language to ensure that the bill improves public safety while also providing clear expectations for automobile manufacturers:

Section 2:

“286- Automobile manufacturer responsibility. (a) A manufacturer, distributor or retailer of a motor vehicle shall not be liable for any loss, injury, or damages caused by the design, manufacture, installation, improper

installation, use, or misuse of an aftermarket intelligent speed assistance device.

(b) Notwithstanding (a), liability does exist if the manufacturer, distributor or retailer of a motor vehicle knowingly engages in a repair or update to an aftermarket intelligent speed assistance device and such repair or update proximately causes loss, injury or damage.

(c) Nothing in this chapter requires a manufacturer, distributor or retailer of a motor vehicle to manufacture, distribute, or offer for sale a motor vehicle that includes or is compatible with an aftermarket intelligent speed assistance device.

(d) Nothing in this chapter prohibits a lessor or lienholder from requiring that a motor vehicle lessee or owner notify the lessor or lienholder that an aftermarket intelligent speed assistance device has been installed on a motor vehicle that is subject to a lease or finance agreement.

(e) A lessor or lienholder may charge a reasonable fee to the customer for the removal of an intelligent speed assistance system.”

With these amendments Auto Innovators would support this measure.

Thank you for the opportunity to submit this testimony.



Testimony of the Oahu Metropolitan Planning Organization

Senate Committee on Transportation

02/03/26 3:00 PM

CR 229 & Videoconference

SB2429

RELATING TO TRAFFIC SAFETY

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

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB2429** which establishes a framework for the use of intelligent speed assistance technology for habitual speeders and requires a report to the Legislature.

This bill supports our goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities increased ten percent between 2023 and 2024 in Hawaii. In 2024, the State of Hawaii Department of Transportation conducted an annual behavioral study, and nearly one-quarter of respondents admitted to exceeding the speed limit by more than 20 miles per hour, and over half exceeded the speed limit by 10-20 miles per hour in the last six months.

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.

SB-2429

Submitted on: 2/2/2026 12:20:41 PM

Testimony for TRS on 2/3/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arkie Koehl	Testifying for Mothers Against Drunk Driving (MADD)	Support	Written Testimony Only

Comments:

Why MADD Supports ISA as an alternative to license suspension in certain circumstances:

- The link between drunk driving and speeding is indisputable
- According to the National Highway Traffic Safety Administration (NHTSA) in 2022, alcohol impairment was found to be more common among speeding drivers in fatal traffic crashes than those drivers who were not speeding:
 - o 38% of speeding drivers involved in fatal crashes had BACs of .08 or greater
 - o 18% of non-speeding drivers involved in fatal crashes had BACs of .08 or greater



900 FORT ST. MALL, SUITE 1620 • HONOLULU, HI 96813
1-800-880-3394 • 808-695-2416 • SMARTSTARTINC.COM
FAX 808-695-2316

February 3, 2025

TO: Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante Vice-Chair
And Senate Members of the Committee on Transportation

FR: Debra Coffey, Chief Government Affairs Emeritus
Smart Start LLC, Hawaii Corporate Office

RE: SB 2429, Relating to establishing a framework for the use of intelligent speed assistance technology for the habitual offender – Support with amendments

I am Debra Coffey, Chief Government Affairs Emeritus for Smart Start LLC, Hawaii Corporate Office. Smart Start has been the vendor contracted by the Hawaii Department of Transportation to install and service alcohol ignition interlocks in Hawaii since 2011. Smart Start will also be offering distribution of active Intelligent speed devices. I am offering written testimony in support of SB 2429, requesting amendments that reflect suggested best practices and model legislation.

Speeding causes roughly one-third of our nation's traffic fatalities, according to the National Highway Traffic Safety Administration (NHTSA). Program participants will be allowed to obtain a restricted license with ISA program participation. This is especially important because about 75 percent of people continue to drive on a suspended license (Source: AAMVA).

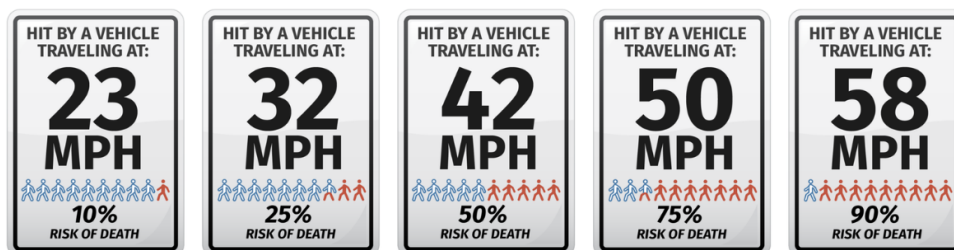
ISA technology has been used for more than 30 years on commercial fleets and is emerging as an innovative countermeasure for Super Speeders. As noted in the January 2026 National Conference of State Legislators Legisbrief, the District of Columbia, Virginia, and Washington state have passed similar laws and nearly 20 states are expected to consider ISA for Super Speeders legislation this year.

ISA uses location-based technology to recognize speed limits and prevent the vehicle from operating beyond a pre-set limit as determined by the state. Once that speed limit is reached, the pedal becomes unresponsive and will not allow the vehicle to accelerate further. A temporary speed allowance button can be used, if needed, for a pre-programmed distance and time for safety-related acceleration.

Active ISA technology enables individuals to seamlessly integrate back into their daily routines, facilitating their commute to work, school, and home. It also enhances road safety while providing feedback to the driver to promote safer driving habits.

Speed – A Major Factor in Traffic Deaths

- In 2023, 11,775 deaths — 29% of all traffic fatalities — occurred in speed-related crashes. ([NHTSA](#)).
- Speeding remains a hazard on Hawaii roads. In Hawaii, between 2018 to 2022, speeding accounted for at least 40% of all traffic related fatalities.
- Over 115,000 speeding related enforcement contacts were made statewide between 2019 and 2023.
- A 2023, Hawaii Attitudes and Behaviors Survey, asked participants how often they traveled over the speed limit. 46% responded 10 – 20 mph above the speed limit. 21% responded more than 20 mph above the speed limit. (Source: Hawaii DOT Strategic Highway Safety Plan).
- Speed-related crashes caused \$46.4 billion in economic costs and \$225 billion in comprehensive costs in 2019. Updated for inflation alone, in 2025, the economic costs would be \$58.56 billion and comprehensive costs would be nearly \$284 billion. (Advocates for Highway and Auto Safety 2025 [Roadmap](#))
- High speeds increase crash likelihood. Drivers have less time to react and require a longer distance to stop. Modest increases in speed = large increases in crash energy. ([Families for Safer Streets](#))



We respectfully request the committee consider (see attachment):

- 1. Using the AAMVA model Legislation Definition of Intelligent Speed Assistance.**
- 2. Consider other program definitions representing Active ISA best practices.**

We support this measure and believe it represents an important step toward keeping Hawaii's roads safe.

Thank you for the opportunity to provide testimony in support of this important bill.

A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

SECTION 1. The legislature finds that excessive speeding is a leading cause of traffic fatalities and serious injuries in the State. The legislature further finds that a small number of repeat speeding offenders account for a disproportionate share of dangerous driving behavior.

The legislature recognizes that advancements in vehicle safety technology, including intelligent speed assistance systems, can reduce speeding, improve roadway safety, and save lives while preserving access to lawful driving privileges. The legislature also finds that the State of Washington, the Commonwealth of Virginia, and Washington, D.C. has enacted legislation establishing intelligent speed assistance as a remedial tool for habitual speeding offenses, providing a model for improving traffic safety outcomes.

The purpose of this Act is to:

- (1) Allow courts to order the use of intelligent speed assistance technology for habitual speeders; and
- (2) Require a report to the legislature on certain data and the effectiveness of intelligent speed assistance requirements.

SECTION 2. Chapter 286, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"Part. intelligent speed assistance and habitual speeding

§ 286-A **Definitions.** As used in this part, unless the context clearly requires otherwise:

"Approved intelligent speed assistance system" means an intelligent speed assistance system that meets standards adopted by the department of transportation pursuant to this part.

"Circumvention" means the motor vehicle's speed exceeds the posted speed limit for one continuous minute or more.

"Dynamic Speed Zone" means an area where speed limits are adjusted based upon certain conditions.

"Failure to Maintain" means the participant's failure to keep the active ISA system in proper working order at all times. This includes, but is not limited to, any loss of system power for twenty-four (24)

continuous hours or more, or any system lockout.

"Habitual speeder" means a person designated a habitual speeder by a court pursuant to section 286-B.

"Active ISA Device" or "Intelligent speed assistance" means an aftermarket system that actively prevents a motor vehicle from exceeding the applicable speed limit, does not interact with the braking system, and is installed in or integrated with a motor vehicle. Active ISA systems determine the applicable speed limit and prevent the vehicle from exceeding that limit, excluding Dynamic Speed zones, using technology such as, but not limited to, integrated location-based technology, digital mapping data, and/or camera based sign recognition. Active ISA systems include all necessary components for installation, operation, monitoring, and data transmission and that provides audible and/or visual feedback to the driver.

"Program Violation" means a circumvention, tampering, speed in excess of the posted speed limit for one continuous minute or more, and failure to maintain.

"Tampering" means any act or omission intended to circumvent, disable or interfere with the proper operation of an active ISA system, including but not limited to: unauthorized removal; physically damaging the system; disconnecting electrical connections; installing signal jammers or GPS blockers; altering or manipulating software.

§ 286-B Habitual speeder designation. (a) Upon any violation of part X of chapter 291C, a court may designate a person as a habitual speeder based on:

(1) The number and frequency of any prior speeding violations;

(2) The degree to which the person's speed exceeded the posted speed limit for the current violation and any prior violations;

(3) Whether any of the person's speeding violations occurred in school zones or construction zones pursuant to section 291C-104 or pedestrian-priority areas; and

(4) Any prior traffic safety interventions.

§ 286-C Court ordered intelligent speed assistance. (a) In addition to any penalty under part X of chapter 291C, upon designating a person as a habitual speeder pursuant to section 286-B, the court may order, as a condition of continued driving privileges, that any motor vehicle operated by the person, **excluding motorcycles**, be equipped with an approved intelligent speed assistance system.

(b) The court shall specify:

(1) The duration of the requirement; **and**

(2) **Condition program completion on compliance demonstrated by an absence of Program Violations during the last 40% of the requirement duration.**

(c) Failure to comply with a court-ordered intelligent speed assistance requirement shall

constitute a violation of this chapter and may result in license suspension, revocation, or other lawful sanctions.

§ 286-D Approved systems and standards. (a) The department of transportation shall adopt rules pursuant to chapter 91 establishing standards for approved intelligent speed assistance systems, including:

- (1) Accuracy and reliability;
- (2) Tamper resistance;
- (3) Driver notifications;
- (4) System inspection requirements;
- (5) Reporting, and
- (6) Procedures for verification of installation and operation.

§ 286-E Privacy and data protection. (a) An intelligent speed assistance system required under this part shall not:

- (1) Collect location or driving data beyond what is necessary for speed compliance; or
- (2) Transmit data to third parties except for compliance verification as ordered by a court.

(b) Any data collected pursuant to this part shall not be sold, used for commercial purposes, or disclosed except as authorized by law.

§ 286-F Financial assistance and equity. (a) The courts may reduce, waive, or offset costs associated with intelligent speed assistance for individuals who demonstrate financial hardship, as determined by the courts.

(b) The judiciary may establish a sliding-scale fee structure or authorize the use of certified low-cost systems to ensure equitable access.

§ 286-G Rules. The judiciary and department of transportation may adopt rules pursuant to chapter 91 necessary to carry out the purposes of this part."

SECTION 3. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to part X to be appropriately designated and to read as follows:

"§ 291C- Speed safety intervention. Courts may require participation in speed safety programs, including intelligent speed assistance pursuant to part of chapter 286, education, or monitoring, as part of sentencing or diversion for speeding-related offenses."

SECTION 4. (a) The department of transportation, in coordination with the judiciary and county law enforcement agencies, shall collect data regarding:

- (1) Speed-related crashes;
- (2) Recidivism rates among habitual speeders; and
- (3) The effectiveness of intelligent speed assistance interventions.

(b) The department of transportation shall submit a report of its findings and recommendations, including any proposed legislation, on the data collected pursuant to subsection (a) and on the effectiveness of the intelligent speed assistance requirements to the legislature no later than twenty days prior to the convening of the regular session of 2028.

SECTION 5. In codifying the new sections added by section 2 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 6. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.



NOTE: The intent of this model legislation is to promote uniform adoption across jurisdictions to ensure continuity for those jurisdictions that have chosen to implement an Intelligent Speed Assistance (ISA) program and to support interstate reciprocity between participating jurisdictions.

While jurisdictions retain discretion in establishing administrative penalties for ISA program violations, greater alignment with consistent, nationally recognized penalty frameworks enhances program consistency and supports effective interstate reciprocity.

As a result of creating continuity, policymakers should understand that, by the nature of adopting an ISA program, increased severity in terms of criminal penalties and consequences for qualifying offenses may be applied to habitual and excessive speeders.

MODEL INTELLIGENT SPEED ASSISTANCE ACT

Uniform Legislation for Interstate Reciprocity and Program Continuity

SECTION 1. SHORT TITLE

This Act shall be known and may be cited as the "Intelligent Speed Assistance Act" or "ISAA."

SECTION 2. LEGISLATIVE PURPOSE AND FINDINGS

(a) Findings. The [Legislature/General Assembly/Council] finds that:

- (1) Speeding is a contributing factor in approximately 29 percent of all traffic fatalities in the United States, resulting in over 12,000 deaths annually, as documented by the National Highway Traffic Safety Administration;
- (2) Traditional enforcement methods including fines, license points, and suspensions have proven insufficient to deter the most dangerous repeat speeders;
- (3) Approximately 75 percent of drivers with suspended licenses continue to drive, creating ongoing public safety risks, as documented in research published by the National Cooperative Highway Research Program;
- (4) Intelligent Speed Assistance (ISA) technology provides a proven, cost-effective alternative to license suspension that maintains individual mobility while protecting public safety;
- (5) Intelligent Speed Assistance technology has demonstrated significant safety benefits in municipal fleet pilot programs, including a 64 percent reduction in speeding in New York City's program, as documented by the New York City Department of Citywide Administrative Services in partnership with the U.S. Department of Transportation Volpe National Transportation Systems Center;
- (6) Interstate travel is common, and drivers subject to ISA requirements in one jurisdiction frequently operate vehicles in other jurisdictions;

- (7) Lack of uniformity in ISA programs creates enforcement gaps, administrative burdens, and reduced public safety outcomes when drivers cross state lines;
- (8) A uniform approach to ISA program requirements, data sharing, and interstate reciprocity will maximize public safety benefits while minimizing administrative complexity.

(b) Purpose. The purposes of this Act are to:

- (1) Establish a uniform Intelligent Speed Assistance Program applicable to repeat and egregious speed violators;
- (2) Provide an alternative to driver license suspension that maintains mobility while ensuring public safety;
- (3) Create uniform violation standards and program requirements to ensure continuity when participants travel or relocate between jurisdictions;
- (4) Establish clear lines of authority for program administration and enforcement;
- (5) Protect participant privacy while enabling necessary data sharing for program integrity;
- (6) Ensure program sustainability through participant-funded cost recovery;
- (7) Enable interstate reciprocity and data exchange;
- (8) Establish uniform penalties for tampering and noncompliance.

SECTION 3. DEFINITIONS

As used in this Act:

"Approved Service Provider" means a person, firm, or business entity certified by the [State Motor Vehicle Agency] to install, service, tune, monitor, and remove active ISA devices in accordance with standards established under this Act.

"Driver Record" means the record maintained by the [State Motor Vehicle Agency] or obtained from another jurisdiction through the National Driver Register, the Commercial Driver License Information System (CDLIS), or the State to State (S2S) verification service containing information about a person's driver history including convictions, restrictions and suspensions.

"Dynamic Speed Zone" means an area where speed limits are adjusted based upon certain conditions.

"Enrollment" means the date that the restricted credential is issued. The participant shall have an active ISA device installed prior to issuance of restricted credential.

"Failure to Maintain" means the participant's failure to keep the active ISA device in proper working order at all times. This includes, but is not limited to, any loss of device power for twenty-four (24) continuous hours or more, or any device lockout.

"Active ISA Device" or "Intelligent Speed Assistance Device" means an aftermarket device that actively prevents a motor vehicle from exceeding the applicable speed limit and does not interact with the braking system and is installed in or integrated with a motor vehicle. Active ISA devices determine the applicable speed limit and prevent the vehicle from exceeding that limit, excluding Dynamic Speed zones, using technology such as, but not limited to, integrated location-based technology, digital mapping data, and/or camera-based sign recognition. Active ISA devices include all necessary components for installation, operation, monitoring, and data transmission.

"ISA Program" or "Program" means the Intelligent Speed Assistance Program established under this Act.

"Participant" means a person required to install and maintain an active ISA device and who is restricted to operating only vehicles equipped with an active ISA device pursuant to this Act.

"Participating Jurisdiction" means any state, territory, or the District of Columbia that has enacted substantially similar legislation to this Act.

"Program Violation" means tampering with, circumventing, removing the device, or other activities as defined by the State Motor Vehicle Agency.

"Qualifying Offense" means: (1) a conviction of speeding of 100 miles per hour or more; (2) a conviction for reckless driving by speed; (3) a conviction for racing or speed contest; (4) [A jurisdiction defined number of convictions] for speeding violations [as defined by the jurisdiction] within [a jurisdictions defined period of time]; (5) accumulation of demerit points or convictions resulting in suspension or revocation for speed-related convictions within [a jurisdiction defined period of time]; or (6) any substantially similar conviction or administrative action in another jurisdiction involving excessive speed; [or any other state qualifying offense]. **"State Motor Vehicle Agency"** means the [Department of Motor Vehicles/Department of Transportation/Motor Vehicle Administration] or other agency designated to administer the ISA Program.

"Tampering" means any act intended to disable, circumvent, or interfere with the proper operation of an active ISA device, including but not limited to: unauthorized removal; physically damaging the device; disconnecting electrical connections; installing signal jammers or GPS blockers; altering or manipulating software.

"Tune" means the process by which the ISA acquires vehicle data necessary for proper functionality.

SECTION 4. ESTABLISHMENT OF INTELLIGENT SPEED ASSISTANCE PROGRAM

(a) Program Creation. The Intelligent Speed Assistance Program is hereby established within the State Motor Vehicle Agency.

(b) Program Administrator. The State Motor Vehicle Agency shall serve as Program Administrator and shall:

- (1) Establish a program for active ISA device approval;
- (2) Approve service providers;
- (3) Maintain records of all Program participants;
- (4) Coordinate with courts and law enforcement regarding participant enrollment and compliance;
- (5) Exchange participant data with other Participating Jurisdictions; and
- (6) Establish procedures for Program requirements;

(c) Rulemaking Authority. The State Motor Vehicle Agency may adopt rules necessary to implement this Act, including but not limited to:

- (1) Specifications for active ISA devices;
- (2) Standards and procedures for approved service providers;
- (3) Active ISA device installation, transfer, inspection and or/removal;
- (4) Data security, retention, and privacy protocols;
- (5) Procedures for interstate data exchange;

- (6) Affordability program requirements;
- (7) Compliance monitoring and violation reporting.

(d) Authority to Modify Program Requirements. The State Motor Vehicle Agency may modify an ISA requirement upon a showing of good cause, including:

- (1) Demonstrated compliance and absence of new speed violations;
- (2) Undue hardship not foreseeable at the time of program enrollment; or
- (3) Documented device malfunction or inability of an approved service provider to service the device in the enrolled individual's county of residence.

SECTION 5. NOTIFICATION OF REQUIRED PARTICIPATION AND ENROLLMENT

- (a) Notification.** The State Motor Vehicle Agency shall notify any individual required to enroll in the ISA program that their licenses will be suspended unless the individual enrolls in the ISA program and remains in compliance with all program requirements.
- (b) Enrollment.** The participant shall have [a jurisdiction defined number of] days from the date of notice to enroll in the program and install an active ISA device as described in Section 6. Failure to respond within [a jurisdiction defined number of] days shall result in automatic license suspension.
- (c) Vehicle Coverage.** The participant shall ensure that every motor vehicle operated by the participant is equipped with an approved active ISA device during the enrollment period.
- (d) Restricted License.** Upon successful enrollment, the State Motor Vehicle Agency shall issue a credential with an S license restriction code to the ISA Program participant. The participant is prohibited from operating any motor vehicle not equipped with an approved and functioning active ISA device.
- (e) Driver Record.** Participating State Motor Vehicle Agencies shall record the following data as part of the driver record to include:
 - a. Full name, date of birth, and driver's license number;
 - b. Qualifying offense(s);
 - c. Program enrollment date and completion date;
- (f) Exception for Voluntary Installation of Active ISA Device.** Individuals who are not ISA restricted and/or business entities voluntarily installing the active ISA device are exempt from the requirements of this Act.

SECTION 6. DEVICE INSTALLATION AND DURATION OF ENROLLMENT

(a) Installation Timeline. A participant shall install an approved active ISA device in any motor vehicle the participant operates within [a jurisdiction defined number of days] of the enrollment order. Approved service providers shall provide proof of installation to the State Motor Vehicle Agency and participant within this period.

(b) Duration of Enrollment. The participant shall maintain the active ISA device and remain in compliance for a minimum period of:

- (1) [365] days for first enrollment;
- (2) [730] days for a second enrollment;
- (3) [1,095] days for a third or subsequent enrollment;

This State shall recognize and enforce minimum enrollment periods imposed by any Participating Jurisdiction if both states are Participating Jurisdictions.

SECTION 7. UNIFORM TECHNICAL STANDARDS FOR ACTIVE ISA DEVICES

(a) Minimum Device Capabilities. All active ISA devices approved for use in the Program shall:

- (1) Utilize technology integrated with speed limit data covering all mapped roadways;
- (2) Update speed limit data on a [frequency determined by the jurisdiction specific to approved service providers] basis;
- (3) Employ active ISA technology that prevents the vehicle from exceeding the applicable speed limit;
- (4) Allow for brief, temporary speed limit exceedances not to exceed 5 miles per hour above the posted limit for a cumulative duration not exceeding [a jurisdictionally defined frequency or limit];
- (5) Provide real-time monitoring to the service provider;
- (6) Provide a signal to the participant through the active ISA device as GPS and/or cellular reception permits
- (7) Record and transmit compliance data to approved service providers;
- (8) Be tamper-resistant and provide timely notification of tampering attempts;
- (9) Function in all weather conditions;
- (10) Function in geographic areas as GPS and/or cellular reception permits;
- (11) Not interfere with other vehicle safety systems;
- (12) Comply with all applicable federal motor vehicle safety standards;

(b) Approval Process. The State Motor Vehicle Agency shall establish an approval process for active ISA devices.

SECTION 8. INTERSTATE RECIPROCITY AND PROGRAM CONTINUITY

(a) Recognition of Other States' ISA Requirements. This State shall recognize and enforce ISA Program requirements imposed by any Participating Jurisdiction if both states are Participating Jurisdictions.

(b) Relocation to this State/Continuation of Program Requirements. When a person subject to ISA Program requirements in another Participating Jurisdiction establishes legal residence in this State:

- (1) The person shall be deemed a participant in this State's ISA Program;
- (2) The person shall comply with all requirements of this Act as if originally enrolled in this State;
- (3) The remaining duration of the person's enrollment period shall continue uninterrupted.
- (4) The person shall notify the State Motor Vehicle Agency of their ISA Program status as part of establishing residence;
- (5) The State Motor Vehicle Agency shall assume administrative responsibility for the participant;
- (6) The enrollment period and all Program requirements shall continue without interruption;
- (7) The participant shall verify that their active ISA device meets this State's requirements within 30 days or install a compliant device;

- (8) The State Motor Vehicle Agency shall issue a credential with an S license restriction code to the ISA Program participant.

(c) Suspension for Non-Participating Jurisdiction Relocation. If a participant relocates to a non-participating jurisdiction and establishes residency:

- (1) The State Motor Vehicle Agency shall immediately suspend the person's driving privilege in this State;
- (2) The suspension shall remain in effect until the person returns to a Participating Jurisdiction and resumes Program participation; or the suspension shall remain in effect for the remainder of the ISA enrollment;

SECTION 9. INTERSTATE DATA EXCHANGE AND INFORMATION SHARING

(a) Information to be Shared. Participating Jurisdictions shall exchange the following information about participants:

- (1) Full name, date of birth, and driver's license number;
- (2) Qualifying offense(s) and conviction date(s);
- (3) Program enrollment date and scheduled completion date;
- (4) Number of qualifying offenses;
- (5) History of ISA enrollment;
- (6) Program violations.

(b) Secure Data Transmission. All interstate data exchanges shall:

- (1) Utilize secure transmission protocols;
- (2) Comply with all applicable federal and state privacy laws;
- (3) Be limited to information necessary for Program administration and public safety;

SECTION 10. DATA COLLECTION AND RETENTION

- (a) Data Collection.** Service providers shall only collect the following data
- (1) Device identification number;
 - (2) Vehicle identification number (VIN);
 - (3) Date, time, and duration of vehicle operation;
 - (4) Posted speed limit at vehicle location;
 - (5) Vehicle speed;
 - (6) Override events (date, time, duration);
 - (7) Tampering attempts or device malfunctions;
 - (8) Location coordinates (retained only for compliance verification; not used for general location tracking).

(b) Data Retention. Service providers are only required to retain program participation data for the duration of program participation or any period as defined by the State Motor Vehicle Agency and in compliance with state laws and regulations.

SECTION 11. PROGRAM FUNDING AND AFFORDABILITY

(a) Participant Cost Responsibility. The participant shall pay the cost of leasing or buying, monitoring, and maintaining an active ISA device, and any administrative fees required by the State Motor Vehicle Agency, unless they qualify for an affordability program.

(b) Affordability Program.

- (1) A participant may petition the State Motor Vehicle Agency for a reduction of fees based on need;
- (2) Persons applying for the affordability program shall be deemed to qualify for such status by showing proof of enrollment in any of the following public assistance programs to the Department:
 - a. Temporary Assistance for Needy Families (TANF)
 - b. Supplemental Security Income (SSI)
 - c. Supplemental Nutritional Assistance Program (SNAP)
 - d. Low Income Home Energy Assistance Program (LIHEAP) or
 - e. If the individual's household income is at or below 150 percent of the federal poverty level as documented.
- (3) For qualifying participants:
 - (i) all fees under subsection (b) may be reduced for the first enrollment;
 - (ii) fees may be reduced for subsequent enrollments at the Agency's discretion;

(d) ISA Program Fund. There is hereby created the Intelligent Speed Assistance Program Fund, which shall consist of:

- (1) All administrative fees collected under this Section from participants;
- (2) Any grants or appropriations designated for the Program;
- (3) Application, program, and certification fees provided by approved service providers.

(e) Fund Administration and Uses.

- (1) The State Motor Vehicle Agency shall administer the Fund;
- (2) Fund monies shall be used for:
 - (i) subsidizing costs for eligible participants;
 - (ii) Program administration;
 - (iii) technology infrastructure;
 - (iv) interstate data exchange systems;
 - (v) public education about the Program;
- (3) Any Fund surplus remaining at the end of a fiscal year shall be carried forward to the next fiscal year and shall not revert to the general fund.

(f) Initial Appropriation. The [Legislature/General Assembly] shall appropriate such funds as necessary for initial ISA Program implementation, including technology infrastructure, rulemaking, and an affordability program.

SECTION 12. TAMPERING, NONCOMPLIANCE, AND ENFORCEMENT

(a) Tampering - Criminal Offense.

- (1) Any person who has been convicted of tampering with an active ISA device shall be guilty of [insert level of offense here] and subject to [insert state requirement].
- (2) Upon conviction for tampering, the court shall extend the participant's enrollment period by an additional twelve (12) months.

(b) Operating Without Active ISA Device. Any participant who operates a motor vehicle not equipped with a functioning, approved active ISA device shall be guilty of [insert level of offense here] and subject to extend the participant's enrollment period by an additional twelve (12) months.

(c) Failure to Enroll - Administrative Suspension. If a participant fails to enroll in the ISA program within the timeframe required by Section 6(a), the State Motor Vehicle Agency shall immediately suspend the participant's license. The suspension shall remain in effect until the participant provides proof of installation and pays a reinstatement fee.

(d) Failure to Maintain Requirement. The State Motor Vehicle Agency shall establish regulations governing all participant failure to maintain the device in accordance with program requirements.

(e) Monitoring and Reporting. Approved service providers shall provide reports as determined by the State Motor Vehicle Agency.

(f) Evidence of Device Installation. Participants shall carry service provider-issued evidence of an active ISA device installation at all times when operating a vehicle.

(g) Interstate Violation Reporting. Any violation of Program requirements discovered in a Participating Jurisdiction shall be reported to the participant's home jurisdiction within [x] business days. The home jurisdiction shall take enforcement action pursuant to its laws.

SECTION 13. SERVICE PROVIDER APPROVAL

(a) Certification Required. No person, firm, or business entity may install, service, remove or monitor active ISA devices under this Program without approval by the State Motor Vehicle Agency.

(b) Approval. To receive approval, service providers shall:

- (1) Demonstrate technical competency in active ISA device installation and maintenance;
- (2) Maintain liability insurance in amounts determined by the State Motor Vehicle Agency;
- (3) Employ or contract with technicians that have appropriate training and background checks;
- (4) Maintain secure data systems;
- (5) Provide services in a geographically distributed manner to enable participant access;
- (6) Provide 24-hour, 7-day toll free emergency phone number for customer support and will service within [x] hours;
- (8) Submit to reporting requirements and periodic audits by the State Motor Vehicle Agency;
- (9) Comply with pricing as established by the State Motor Vehicle Agency pursuant to rules adopted under Section 4(c);

- (10) Maintain records in compliance with the State Motor Vehicle Agency's document retention policy pursuant to Section 10(b).

SECTION 14. LIABILITY LIMITATIONS

- (a) **State Immunity.** The State, its agencies, and employees shall not be liable for any damages, injuries, or deaths resulting from active ISA device operation, malfunction, or participant actions while subject to Program requirements.
- (b) A manufacturer, distributor or retailer of a motor vehicle is not liable for any loss, injury, or damages caused by the design, manufacture, installation, improper installation, use, or misuse of an aftermarket ISA Device. However, liability does exist if the manufacturer, distributor or retailer of a motor vehicle knowingly engages in a repair or update to the aftermarket ISA Device and such repair or update proximately causes loss, injury or damage.
- (c) Nothing in this chapter requires a manufacturer, distributor or retailer of a motor vehicle to manufacture, distribute, or offer for sale a motor vehicle that includes or is compatible with an aftermarket ISA Device.
- (d) Nothing in this chapter prohibits a lessor or lienholder from requiring that a motor vehicle lessee or owner notify the lessor or lienholder that an aftermarket ISA Device has been installed on a motor vehicle that is subject to a lease or finance agreement.
- (e) Service provider and its affiliates, and their directors, officers, and employees shall not be liable for any loss, injury, or damages arising from or caused by the negligence or willful misconduct of the participant or a third party, including, without limitation, participant's use, operation, or maintenance of the ISA Device inconsistently with the service provider's guidelines and instructions or participant's or third party's installation, removal, repair, or update of the ISA Device."

SECTION 15. IMPLEMENTATION AND TIMELINE

The State Motor Vehicle Agency shall implement the ISA program after establishing necessary rules, regulations, and infrastructure for the ISA Program including participant tracking, interstate data exchange, and compliance monitoring.

SECTION 16. EFFECTIVE DATE

This Act shall take effect on [INSERT DATE].

LATE

SB-2429

Submitted on: 2/2/2026 3:16:43 PM

Testimony for TRS on 2/3/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chad K Taniguchi	Individual	Support	In Person

Comments:

Intelligent speed assistance is another technology (like IID ignition interlock devices) that will proactively prevent proven dangerous road users from speeding once they have proved incapable of controlling themselves and following the laws.

Active Intelligent Speed Assistance devices installed in the cars of "super speeders" who have broken speeding laws multiple times or perhaps once outrageously will prevent the car accelerator from exceeding the speed limit by more than a certain percent.

Virginia, Washington state, and Washington DC have already passed "stop super speeder" laws and more states are in the process.

The technology has been used in many private and public vehicle fleets for decades and has proven effective.

Excellent information is available at Families for Safe Streets website. Families for Safe Streets is a nonprofit organization of survivors whose family members have been killed in the roads. They want to prevent future tragedy.

Thank you Senators Inouye, Rhoads, Kanuha, and Chang for sponsoring this important legislation that will make our streets safer.

Please support SB2429.