
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

PART I

SECTION 1. Section 249-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Upon [an original registration] a legally authorized registration, the director of finance shall fix, and shall charge to the owner, a fee equal to the cost of the number plate and tag or emblem plus the administrative cost of furnishing the plate and tag or emblem and effecting the registration. Upon the issuance of a new series of number plates as determined by the directors of finance of each county through majority consent, the director of finance shall charge the owner a fee equal to the costs of the number plate plus the administrative cost of furnishing the plates. Upon issuing a tag or emblem, the director of finance shall charge the owner a fee of 50 cents. A seller or licensed dealer shall ensure that a motor vehicle is equipped with a front number plate mounting bracket or device securely affixed to the vehicle before sale or



1 delivery to the purchaser. The licensed dealer or owner shall
2 securely fasten the number plates on the vehicle, one on the
3 front and the other on the rear, at a location provided by the
4 manufacturer or, in the absence of such a location, upon the
5 bumpers of the vehicle and in conformance with section 291-31,
6 in [~~such~~] a manner [~~as to prevent~~] that prevents the plates from
7 swinging. Number plates shall at all times be displayed
8 entirely unobscured and be kept reasonably clean. In the case
9 of trailers, semitrailers, or motorcycles, one plate shall be
10 used and [~~it shall be~~] fastened to the rear thereof at a
11 location provided by the manufacturer or, in the absence of such
12 a location, at the rear thereof, and in the case of motorcycles
13 in conformance with section 291-31."

14 PART II

15 SECTION 2. Section 291C-103, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§291C-103 Racing on highways.** (a) Except as provided in
18 section 291C-149, no person shall recklessly or negligently
19 drive any vehicle in any race, speed competition or contest,
20 drag race or acceleration contest, test of physical endurance,
21 exhibition of speed or acceleration, or for the purpose of



1 making a speed record, and no person shall in any manner
2 participate in or organize any race, competition, contest, test,
3 street takeover, or exhibition prohibited by this section.

4 (b) Any person who violates this section [~~, except in the~~
5 ~~ease of an exhibition of speed or acceleration,~~] shall be fined
6 [~~not more than \$500 or imprisoned not more than six months, or~~
7 ~~both.~~ Any person who violates this section by way of an
8 ~~exhibition of speed or acceleration shall be fined not more than~~
9 ~~\$500 or~~] \$1,000 and be sentenced to perform forty hours of
10 community service [~~, or both~~].

11 (c) Any person who violates this section while operating a
12 vehicle at a speed exceeding the posted speed limit by thirty
13 miles per hour or more shall be subject to a fine of [~~not more~~
14 ~~than~~] \$2,000, a term of imprisonment of [~~not~~] no more than one
15 year, or both [~~+~~], and be sentenced to perform eighty hours of
16 community service; provided that the following additional
17 penalties shall also apply:

18 (1) For an offense that occurs within five years of a
19 prior conviction, a one-year license suspension;

20 (2) For an offense that occurs within five years of two
21 prior convictions:



- 1 (A) A three-year license suspension; and
- 2 (B) A vehicle owned by the defendant and used in the
- 3 commission of the offense which has been used in
- 4 at least two prior offenses that resulted in
- 5 convictions may be ordered by the court to be
- 6 subject to forfeiture under chapter 712A; and
- 7 (3) For all offenses under this section, a surcharge of up
- 8 to [~~\$100~~] \$500 may be deposited in the trauma system
- 9 special fund [~~if the court so orders~~].
- 10 (d) As used in this section:
- 11 "Drag race" means the operation of two or more vehicles
- 12 from a point side by side at accelerating speeds in a
- 13 competitive attempt to outdistance each other, or the operation
- 14 of one or more vehicles over a common selected course, from the
- 15 same point to the same point, for the purpose of comparing the
- 16 relative speeds or power of acceleration of the vehicle or
- 17 vehicles within a certain distance or time limit.
- 18 "Exhibition of speed or acceleration" means the sudden
- 19 acceleration of a vehicle resulting in the screeching of the
- 20 vehicle's tires that is done to intentionally draw the attention
- 21 of persons present toward the vehicle. "Exhibition of speed or



1 acceleration" includes burnouts, donuts, drifting, wheelies, or
2 other stunts intended to demonstrate speed or control.

3 "Racing" means the use of one or more vehicles in an
4 attempt to outgain, outdistance, or prevent another vehicle from
5 passing, to arrive at a given destination ahead of another
6 vehicle or vehicles, or to test the physical stamina or
7 endurance of drivers over long distance driving routes.

8 "Street takeover" means the intentional obstruction of a
9 public highway or street by using motor vehicles to facilitate a
10 speed contest or exhibition of speed, including blocking traffic
11 or creating a barricade."

12 PART III

13 SECTION 3. Section 291L-2, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§291L-2[+] **Automated speed enforcement systems**
16 **program; established.** There shall be established the automated
17 speed enforcement systems program, which shall be implemented by
18 the State to enforce the speed restriction laws of the State.
19 The automated speed enforcement [~~system~~] systems program [~~shall~~
20 ~~be limited to only those locations where a photo red light~~
21 ~~imaging detector system has been implemented pursuant to chapter~~



1 291J.] may be implemented in any high-risk location of a state
2 or county highway as determined by the department based on an
3 analysis of the studies conducted pursuant to section 291L-3(c);
4 provided that the department may consult with the judiciary
5 regarding implementation; provided further that the judiciary
6 shall not control or delay the department's authority to
7 determine camera locations or implementation timelines."

8 SECTION 4. There is appropriated out of the state highway
9 fund the sum of \$ or so much thereof as may be
10 necessary for fiscal year 2026-2027 to be deposited into the
11 automated speed enforcement systems program special fund.

12 SECTION 5. There is appropriated out of the automated
13 speed enforcement systems program special fund the sum
14 of or so much thereof as may be necessary for fiscal
15 year 2026-2027 for the expanded implementation of automated
16 speed enforcement systems and operation of the automated speed
17 enforcement systems program.

18 The sum appropriated shall be expended by the department of
19 transportation for the purposes of this part.

20 PART IV



1 SECTION 6. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291C- Automatic license plate recognition; citations.

5 (a) A county may use automatic license plate recognition
6 systems to identify vehicles that do not properly display a
7 current certificate of inspection or certificate of
8 registration.

9 (b) A county may issue a citation to the registered owner
10 of a vehicle identified under subsection (a). The citation
11 shall include a fine of no less than \$75 and no more than \$200;
12 provided that the fine shall be waived if the registered owner
13 demonstrates that the vehicle properly displays a current
14 certificate of inspection or certificate of registration within
15 thirty days after issuance of the citation. Any fines collected
16 pursuant to this subsection shall be used for the maintenance of
17 the automatic license plate recognition systems and public
18 education regarding the use of the systems and vehicle
19 inspection and registration requirements.

20 (c) All data collected by an automatic license plate
21 recognition system under this section shall be used only for the



1 purposes for which the data was collected and shall be destroyed
2 or permanently erased within ninety days if the data is not part
3 of an ongoing investigation, enforcement action, or citation
4 record. Access to automatic license plate recognition system
5 data shall be strictly limited to authorized personnel and be
6 subject to strict privacy controls.

7 (d) A county, in coordination with the department of
8 transportation, may utilize any system installed or operated
9 under chapter 291J or 291L for purposes of identifying vehicles
10 under this section that do not properly display current
11 certificates of inspection or registration; provided that:

12 (1) The county and department of transportation shall
13 enter into a written memorandum of agreement
14 specifying roles, responsibilities, data-sharing
15 protocols, access rights, permissible uses, and cost
16 allocation;

17 (2) All data captured for the purposes of this section
18 shall be handled in accordance with subsection (c);
19 and

20 (3) Costs incurred by a county for use of a system
21 installed or operated under chapter 291J or 291L



1 lanes, shall stop the driver's vehicle not less than twenty feet
2 from the school bus and shall not proceed until the school bus
3 resumes motion and the visual signals are turned off.

4 (b) Subsection (a) shall not apply to a vehicle when the
5 school bus and the vehicle are on different roadways; except
6 that where a highway or road in a residential area has been
7 divided into two or more lanes by an intervening space, a
8 physical barrier, or a clearly indicated dividing section,
9 subsection (a) shall apply to all drivers of motor vehicles in
10 all lanes on the same side as a school bus [~~which~~] that is
11 stopped with visual signals actuated as required under
12 subsection (c).

13 (c) The driver of the school bus shall actuate the visual
14 signals described in subsection (g) only when the school bus is
15 stopped for the purpose of receiving or discharging school
16 children.

17 (d) The front and rear of every school bus shall be marked
18 with the words "SCHOOL BUS" in plainly visible letters [~~not~~] no
19 less than eight inches in height and strokes [~~not~~] no less than
20 three-fourths of an inch in width.



1 (e) No vehicle, other than a school bus, shall display a
2 "SCHOOL BUS" sign.

3 (f) When a school bus is being operated upon a highway for
4 purposes other than as an incident to the transportation of
5 children, all marking thereon indicating "SCHOOL BUS" shall be
6 covered or concealed.

7 (g) The visual signals actuated as required under
8 subsection (c) shall consist of four red signal lamps meeting
9 the following requirements:

10 (1) Two lamps shall face forward and two shall face the
11 rear;

12 (2) The two forward lamps shall flash alternately and
13 shall be mounted at the same level, but as high and as
14 widely spaced as practical;

15 (3) The two rear lamps shall flash alternately and shall
16 be mounted at the same level but as high and as widely
17 spaced as practical; and

18 (4) Each of the lamps shall be of sufficient intensity as
19 to be plainly visible at a distance of five hundred
20 feet in normal sunlight and shall be capable of being
21 actuated from the driver's seat by a single switch.



1 (h) Nothing in this section shall prohibit a school bus
2 from installing a camera on the stop arm of the school bus to
3 record photographs, microphotographs, video, or other recorded
4 images to be used for proof of a violation of this section;
5 provided that any photographs, microphotographs, video, or other
6 recorded images produced by a camera pursuant to this subsection
7 shall be reviewed by either a county police officer, department
8 of law enforcement officer, or authorized department of
9 transportation employee; provided further that any review or
10 collection of evidence shall not capture identifiable images of
11 students; provided further that this subsection shall not
12 conflict with the department's obligations under the federal
13 Family Educational Rights and Privacy Act or other applicable
14 student privacy protections.

15 [~~h~~] (i) Any [person] registered owner who violates this
16 section shall be [fined not] penalized as follows:

17 (1) For a first offense, no more than \$250 or sentenced to
18 perform community service, or both;

19 (2) For a second offense, no more than \$300 or sentenced
20 to perform community service, or both; and



1 (3) For a third or subsequent offense, no more than \$500
2 or sentenced to perform community service, or both;
3 provided that any person who violates subsection (a) on a state
4 highway shall be fined [~~not~~] no more than \$1,000 or sentenced to
5 perform community service, or both."

6 SECTION 8. Section 302A-407, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Any school bus contract between the State and the
9 contractor shall include a provision requiring the contractor to
10 equip the contractor's vehicles with the signs and visual
11 signals described in section 291C-95(d) and (g) [~~-~~] and
12 authorizing the contractor to equip a camera on the stop arm of
13 the contractor's vehicles pursuant to section 291C-95(h). The
14 contract shall also include other provisions as may be deemed
15 necessary by the State for the safety of school bus passengers
16 and shall include provisions requiring compliance with the rules
17 and standards described in section 286-181."

18 SECTION 9. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2026-2027 for



1 the department of education to provide funding for the
2 installation of cameras on the stop arms of school buses.

3 The sum appropriated shall be expended by the department of
4 education for the purposes of this part.

5 PART VI

6 SECTION 10. Section 291J-12, Hawaii Revised Statutes, is
7 amended to read as follows:

8 **"§291J-12 Photo red light imaging detector systems program**
9 **special fund established.** (a) There is established a photo red
10 light imaging detector systems special fund to be administered
11 by the [~~department,~~] department's motor vehicle safety office,
12 into which shall be paid revenues collected pursuant to this
13 chapter.

14 (b) All fines collected under this chapter shall be
15 deposited into the photo red light imaging detector systems
16 program special fund. Moneys in the fund shall be expended by
17 the [~~department]~~ department's motor vehicle safety office in the
18 county in which the fine was imposed, for purposes that include
19 the establishment, operation, oversight, repair, and maintenance
20 of a photo red light imaging detector system and implementation
21 of the photo red light imaging detector system program."



1 SECTION 11. Section 291L-10, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§291L-10~~{}~~ **Automated speed enforcement systems**
4 **program special fund; established.** (a) There is established in
5 the state treasury an automated speed enforcement systems
6 program special fund to be administered by the ~~[department,]~~
7 department's motor vehicle safety office, into which shall be
8 deposited all fines collected pursuant to this chapter and
9 section 291C-108.

10 (b) Moneys in the automated speed enforcement systems
11 program special fund shall be expended by the ~~[department]~~
12 department's motor vehicle safety office in the county in which
13 the fine was imposed, for the establishment, implementation,
14 operation, oversight, management, maintenance, and repair of an
15 automated speed enforcement system and implementation of the
16 automated speed enforcement systems program."

17 PART VII

18 SECTION 12. Section 291C-32, Hawaii Revised Statutes, is
19 amended by amending subsection (c) to read as follows:

20 "(c) Whenever traffic is controlled by traffic-control
21 signals exhibiting different colored lights, or colored lighted



1 arrows, successively one at a time or in combination, and
2 actively monitored by an official photo red light imaging
3 detector system, all registered owners of all motor vehicles in
4 vehicular traffic at the intersection shall be held strictly
5 liable for the motor vehicle's compliance with the traffic-
6 control signal, to the extent that registered owners may be
7 cited and held accountable for non-compliance [~~via civil traffic~~
8 ~~infractions~~] pursuant to chapter 291J. The traffic-control
9 signal lights shall apply to the registered owners of motor
10 vehicles as follows:

11 (1) Steady red indication:

12 (A) Vehicular traffic facing a steady red signal
13 alone shall stop at a clearly marked stop line
14 or, if none, before entering the crosswalk on the
15 near side of the intersection or, if none, then
16 before entering the intersection and shall remain
17 standing until an indication to proceed is shown,
18 except as provided in subparagraphs (B) and (C).

19 (B) Vehicular traffic that is stopped in obedience to
20 a steady red indication may make a right turn but
21 shall yield the right-of-way to pedestrians and



1 other traffic proceeding as directed by the
2 signal at the intersection, except that counties
3 by ordinance may prohibit any right turn against
4 a steady red indication, which ordinance shall be
5 effective when a sign is erected at the
6 intersection giving notice thereof.

7 (C) Vehicular traffic on a one-way street that
8 intersects another one-way street on which
9 traffic moves to the left shall stop in obedience
10 to a steady red indication but may then make a
11 left turn into the one-way street, but shall
12 yield right-of-way to pedestrians proceeding as
13 directed by the signal at the intersection,
14 except that counties by ordinance may prohibit
15 any left turn against a steady red indication,
16 which ordinance shall be effective when a sign is
17 erected at the intersection giving notice
18 thereof.

19 (2) To the extent a registered owner's motor vehicle fails
20 to comply with any other law or ordinance related to
21 traffic-control signals, including subsection (a) (1)



1 or (2), the registered owner of a motor vehicle shall
2 not be held strictly liable unless otherwise provided
3 by law."

4 SECTION 13. Section 291C-108, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Whenever a motor vehicle travels through a location
7 actively monitored by an automated speed enforcement system, all
8 registered owners of all motor vehicles in vehicular traffic
9 shall be held strictly liable for their motor vehicle's
10 compliance with the maximum speed limit, to the extent that
11 registered owners may be cited and held accountable for their
12 motor vehicle traveling at a speed not less than five miles per
13 hour over the posted maximum speed limit[~~, via civil traffic~~
14 ~~infractions~~] pursuant to chapter 291L. The department may
15 increase the minimum speed threshold for issuance of a citation
16 pursuant to administrative rules adopted pursuant to chapter
17 91."

18 SECTION 14. Section 291C-161, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "~~§291C-161 Penalties [~~photo red light imaging detector~~~~
21 ~~system fines; automated speed enforcement system fines]~~. (a)



1 It shall be a violation for any person to violate any of the
2 provisions of this chapter, except as otherwise specified in
3 subsections (c) and (d) and unless the violation is by other law
4 of this State declared to be a felony, misdemeanor, or petty
5 misdemeanor.

6 (b) Except as provided in subsections (c) and (d), every
7 person who is determined to have violated any provision of this
8 chapter for which another penalty is not provided shall be fined
9 not more than:

10 (1) \$250 for a first violation thereof;

11 (2) \$300 for a second violation committed within one year
12 after the date of the first violation; and

13 (3) \$500 for a third or subsequent violation committed
14 within one year after the date of the first violation.

15 (c) Every person convicted under or found in violation of
16 section 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-
17 15, 291C-16, 291C-72, 291C-73, 291C-95, 291C-102, 291C-103,
18 291C-104, or 291C-105 shall be sentenced or fined in accordance
19 with those sections.

20 (d) Every person who violates section 291C-13 or 291C-18
21 shall:



- 1 (1) Be fined not more than \$250 or imprisoned not more
2 than ten days for a first conviction thereof;
- 3 (2) Be fined not more than \$300 or imprisoned not more
4 than twenty days or both for conviction of a second
5 offense committed within one year after the date of
6 the first offense; and
- 7 (3) Be fined not more than \$500 or imprisoned not more
8 than six months or both for conviction of a third or
9 subsequent offense committed within one year after the
10 date of the first offense.
- 11 (e) The court may assess a sum not to exceed \$50 for the
12 cost of issuing a penal summons upon any person who fails to
13 appear at the place within the time specified in the citation
14 issued to the person for any traffic violation.

15 ~~[(f) Fines collected for a violation of section 291C-32(e)~~
16 ~~pursuant to the photo red light imaging detector system~~
17 ~~established pursuant to chapter 291J shall be deposited into the~~
18 ~~photo red light imaging detector systems program special fund~~
19 ~~established under section 291J-12 and shall be expended in the~~
20 ~~county in which the fine was imposed, for purposes that include~~
21 ~~the establishment, implementation, operation, oversight,~~



1 ~~management, repair, and maintenance of a photo red light imaging~~
2 ~~detector system.~~

3 ~~(g) Notwithstanding any other law to the contrary, fines~~
4 ~~collected pursuant to chapter 291L and section 291C-108 shall be~~
5 ~~deposited into the automated speed enforcement systems program~~
6 ~~special fund established under section 291L-10 and shall be~~
7 ~~expended in the county in which the fine was imposed, for~~
8 ~~purposes that include the establishment, implementation,~~
9 ~~operation, oversight, management, maintenance, and repair of an~~
10 ~~automated speed enforcement system and implementation of the~~
11 ~~automated speed enforcement systems program.~~

12 ~~(h)]~~ (f) The court may require a person who violates any
13 of the provisions of this chapter to attend a course of
14 instruction in driver retraining as deemed appropriate by the
15 court, in addition to any other penalties imposed."

16 SECTION 15. Section 291C-194, Hawaii Revised Statutes, is
17 amended by amending subsection (c) to read as follows:

18 "(c) Any person who is convicted of violating this section
19 shall be subject to penalties as provided under section 291C-
20 161(b) and ~~[(h)-]~~ (f)."

21 PART VIII



1 SECTION 16. This Act does not affect rights and duties
2 that matured, penalties that were incurred, and proceedings that
3 were begun before its effective date.

4 SECTION 17. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 18. This Act shall take effect on July 1, 3000.



Report Title:

Transportation; DOT; Sellers; Licensed Dealers; Front Number Plate; Mounting Device; Traffic Code; Racing; Automated Speed Enforcement Systems Program; High-risk Locations; Highway Safety; Counties; Automatic License Plate Recognition Systems; Inspections; Registration; School Bus; Passing; Overtaking; Cameras; Installation; Penalty; Appropriation

Description:

PART I: Requires sellers and licensed dealers to ensure that a motor vehicle is equipped with a front number plate mounting bracket or device. Requires a licensed dealer or owner to securely fasten number plates on vehicles. PART II: Amends the Traffic Code relating to street racing. PART III: Expands the Automated Speed Enforcement Systems Program to high-risk locations of state or county highways as determined by the Department of Transportation, under certain conditions. Appropriates funds. PART IV: Allows counties to use automatic license plate recognition systems to identify vehicles without current inspection or registration certificates and issue citations with fines waivable if compliance is demonstrated. Establishes data privacy and retention requirements. Allows counties, in coordination with the Department of Transportation, to use red light and speed camera systems for enforcement. PART V: Authorizes the installation of cameras on the stop arm of a school bus to record footage for evidence of a violation for passing or overtaking a school bus while the bus is stopped and its visual signals are turned on. Amends the fines for passing or overtaking a school bus while the bus is stopped and its visual signals are turned on. PART VI: Specifies that the Department of Transportation's Motor Vehicle Safety Office shall administer the Photo Red Light Imaging Detector Systems Program Special Fund and Automated Speed Enforcement Systems Program Special Fund. PART VII: Clarifies language relating to photo red light enforcement, automated speed enforcement, and penalty provisions. Effective 7/1/3000. (HD1)

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