
A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

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

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

14 The purpose of this Act is to:

15 (1) Allow courts to order the use of active intelligent
16 speed assistance technology for habitual speeders; and



1 (2) Require a report to the legislature on certain data
2 and the effectiveness of intelligent speed assistance
3 requirements.

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

7 **"PART . INTELLIGENT SPEED ASSISTANCE AND HABITUAL SPEEDING**

8 **§286-A Definitions.** As used in this part, unless the
9 context clearly requires otherwise:

10 "Active intelligent speed assistance system" means an
11 aftermarket device that actively prevents a motor vehicle from
12 exceeding the applicable speed limit using technology, such as
13 but not limited to integrated location-based technology, digital
14 mapping data, and camera-based sign recognition, and does not
15 interact with a braking system and is installed or integrated
16 with a motor vehicle.

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



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

3 "Intelligent speed assistance" means a system that uses
4 vehicle-based, digital map-based, or external data to identify
5 applicable speed limits and that provides:

- 6 (1) Advisory warnings to the driver;
- 7 (2) Haptic or visual feedback; or
- 8 (3) Active speed-limiting functionality that restricts
9 vehicle speed to the posted limit or a court-approved
10 threshold.

11 **§286-B Habitual speeder designation.** Upon any violation
12 of part X of chapter 291C, a court may designate a person as a
13 habitual speeder based on:

- 14 (1) The number and frequency of any prior speeding
15 violations;
- 16 (2) The degree to which the person's speed exceeded the
17 posted speed limit for the current violation and any
18 prior violations;
- 19 (3) Whether any of the person's speeding violations
20 occurred in school zones or construction zones



1 pursuant to section 291C-104 or pedestrian-priority
2 areas; and

3 (4) Any prior traffic safety interventions.

4 **§286-C Court ordered intelligent speed assistance.** (a)

5 In addition to any penalty under part X of chapter 291C, upon
6 designating a person as a habitual speeder pursuant to section
7 286-B, the court may order, as a condition of continued driving
8 privileges, that any motor vehicle operated by the person be
9 equipped with an approved intelligent speed assistance system.

10 (b) The court shall specify:

11 (1) The duration of the requirement;

12 (2) Whether the system shall be advisory or speed-
13 limiting;

14 (3) Any compliance verification requirements; and

15 (4) Conditions for early termination based on demonstrated
16 compliance.

17 (c) Failure to comply with a court-ordered intelligent
18 speed assistance requirement shall constitute a violation of
19 this chapter and may result in license suspension, revocation,
20 or other lawful sanctions.



1 **§286-D Approved systems and standards.** (a) The
2 department of transportation shall adopt rules pursuant to
3 chapter 91 establishing standards for approved intelligent speed
4 assistance systems, including:

- 5 (1) Accuracy and reliability;
- 6 (2) Tamper resistance;
- 7 (3) Driver notification requirements; and
- 8 (4) Procedures for verification of installation and
9 operation.

10 (b) The department of transportation may approve multiple
11 categories of systems, including advisory-only and speed-
12 limiting systems.

13 **§286-E Privacy and data protection.** (a) An active
14 intelligent speed assistance system required under this part
15 shall not:

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



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

4 **§286-F Financial assistance and equity.** (a) The courts
5 may reduce, waive, or offset costs associated with intelligent
6 speed assistance for individuals who demonstrate financial
7 hardship, as determined by the courts.

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

11 **§286-G Liability; automobile manufacturer; distributor;**
12 **retailer.** (a) A manufacturer, distributor, or retailer of a
13 motor vehicle shall not be liable for any loss, injury, or
14 damages caused by the design, manufacture, or installation of an
15 aftermarket intelligent speed assistance system, or improper
16 installation, use, or misuse of an aftermarket intelligent speed
17 assistance system.

18 (b) Notwithstanding subsection (a), a manufacturer,
19 distributor, or retailer of a motor vehicle shall be liable if
20 the manufacturer, distributor, or retailer intentionally or
21 knowingly engages in the repair or update of an aftermarket



1 intelligent speed assistance system and the repair or update
2 proximately causes loss, injury, or damage.

3 (c) Nothing in this part shall require a manufacturer,
4 distributor, or retailer of a motor vehicle to manufacture,
5 distribute, or offer for sale a motor vehicle that includes or
6 is compatible with an aftermarket intelligent speed assistance
7 system.

8 (d) Nothing in this part shall prohibit a lessor or
9 lienholder from requiring that a motor vehicle lessee or owner
10 notify the lessor or lienholder that an aftermarket intelligent
11 speed assistance system has been installed in a motor vehicle
12 that is subject to a lease or finance agreement.

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

16 **§286-H Rules.** The judiciary and department of
17 transportation may adopt rules pursuant to chapter 91 necessary
18 to carry out the purposes of this part."

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



1 "§291C- Speed safety intervention. The courts may
2 require participation in speed safety programs, including
3 intelligent speed assistance pursuant to part of chapter
4 286, education, or monitoring, as part of sentencing for
5 speeding-related offenses."

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

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

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

19 SECTION 5. In codifying the new sections added by section
20 2 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 6. New statutory material is underscored.

4 SECTION 7. This Act shall take effect on July 1, 3000.



Report Title:

Speeding Offenses; Habitual Speeder; Intelligent Speed Assistance; Report

Description:

Establishes a framework for the use of intelligent speed assistance technology for habitual speeders. Requires a report to the Legislature. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

