
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 as a
12 remedial tool for habitual speeding offenses, providing a model
13 for improving traffic safety outcomes.

14 The purpose of this Act is to:

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

1 (2) Establish liability for a manufacturer, distributor,
 2 or retailer regarding the design, manufacture,
 3 installation, or repair of an aftermarket intelligent
 4 speed distance system; and

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

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

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

12 **§286-A Definitions.** As used in this part, unless the
 13 context clearly requires otherwise:

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

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

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



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

6 **§286-B Habitual speeder designation.** Upon any violation
7 of part X of chapter 291C, a court may designate a person as a
8 habitual speeder based on:

- 9 (1) The number and frequency of any prior speeding
- 10 violations;
- 11 (2) The degree to which the person's speed exceeded the
- 12 posted speed limit for the current violation and any
- 13 prior violations;
- 14 (3) Whether any of the person's speeding violations
- 15 occurred in school zones or construction zones
- 16 pursuant to section 291C-104 or pedestrian-priority
- 17 areas; and
- 18 (4) Any prior traffic safety interventions.

19 **§286-C Court ordered intelligent speed assistance.** (a)
20 In addition to any penalty under part X of chapter 291C, upon
21 designating a person as a habitual speeder pursuant to section



1 286-B, the court may order, as a condition of continued driving
2 privileges, that any motor vehicle operated by the person be
3 equipped with an approved intelligent speed assistance system.

4 (b) The court shall specify:

5 (1) The duration of the requirement;

6 (2) Whether the system shall be advisory or speed-
7 limiting;

8 (3) Any compliance verification requirements; and

9 (4) Conditions for early termination based on demonstrated
10 compliance.

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

15 **§286-D Approved systems and standards.** (a) The
16 department of transportation shall adopt rules pursuant to
17 chapter 91 establishing standards for approved intelligent speed
18 assistance systems, including:

19 (1) Accuracy and reliability;

20 (2) Tamper resistance;

21 (3) Driver notification requirements; and



1 (4) Procedures for verification of installation and
2 operation.

3 (b) The department of transportation may approve multiple
4 categories of systems, including advisory-only and speed-
5 limiting systems.

6 **§286-E Automobile manufacturer, distributor, or retailer**
7 **responsibility; liability; lessors and lienholders.** (a) A
8 manufacturer, distributor, or retailer of a motor vehicle shall
9 not be liable for any loss, injury, or damages caused by the
10 design, manufacture, installation of an aftermarket intelligent
11 speed assistance system or improper installation, use, or misuse
12 of an aftermarket intelligent speed assistance system.

13 (b) Notwithstanding subsection (a), a manufacturer,
14 distributor, or retailer of a motor vehicle shall be liable if
15 the manufacturer, distributor, or retailer intentionally or
16 knowingly engages in a repair or update of an aftermarket
17 intelligent speed assistance system and the repair or update
18 proximately causes loss, injury, or damage.

19 (c) Nothing in this chapter shall require a manufacturer,
20 distributor, or retailer of a motor vehicle to manufacture,
21 distribute, or offer for sale a motor vehicle that includes or



1 is compatible with an aftermarket intelligent speed assistance
2 system.

3 (d) Nothing in this chapter shall prohibit a lessor or
4 lienholder from requiring that a motor vehicle lessee or owner
5 notify the lessor or lienholder that an aftermarket intelligent
6 speed assistance system has been installed in a motor vehicle
7 that is subject to a lease or finance agreement.

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

11 **§286-F Privacy and data protection.** (a) An intelligent
12 speed assistance system required under this part shall not:

13 (1) Collect location or driving data beyond what is
14 necessary for speed compliance; or

15 (2) Transmit data to third parties except for compliance
16 verification as ordered by a court.

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

20 **§286-G Financial assistance and equity.** (a) The courts
21 may reduce, waive, or offset costs associated with intelligent



1 speed assistance for individuals who demonstrate financial
2 hardship, as determined by the courts.

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

6 **§286-H Rules.** The judiciary and department of
7 transportation may adopt rules pursuant to chapter 91 necessary
8 to carry out the purposes of this part."

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

12 "§291C- Speed safety intervention. Courts may require
13 participation in speed safety programs, including intelligent
14 speed assistance pursuant to part of chapter 286, education,
15 or monitoring, as part of sentencing or diversion for
16 speeding-related offenses."

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

- 20 (1) Speed-related crashes;
- 21 (2) Recidivism rates among habitual speeders; and



1 (3) The effectiveness of intelligent speed assistance
2 interventions.

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

9 SECTION 5. In codifying the new sections added by section
10 2 of this Act, the revisor of statutes shall substitute
11 appropriate section numbers for the letters used in designating
12 the new sections in this Act.

13 SECTION 6. New statutory material is underscored.

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



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. Establishes liability for a manufacturer, distributor, or retailer regarding the design, manufacture, installation, or repair of an aftermarket intelligent speed assistance system. Requires a report to the Legislature. (SD1)

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

