

STAND. COM. REP. NO.

3060

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2010  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2010, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the impoundment of motor vehicles when certain traffic violations have been alleged or committed;
- (2) Provide that if a law enforcement officer lawfully stops a motor vehicle and the operator is cited for driving without a valid license, the officer shall not permit the operator to resume the use of the motor vehicle;
- (3) Require the motor vehicle to be moved by a licensed driver or towed at the owner's expense; and
- (4) Provide that the cited operator is responsible for arranging the operator's transportation from the scene of the stop.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.



Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii and one individual.

Your Committee received comments on this measure from the Department of the Attorney General and Hawai'i Police Department.

Your Committee finds that traffic fatalities and violations have dramatically increased in the State in recent years. Your Committee further finds that impounding the vehicles of drivers who commit certain offenses, such as driving under the influence, would serve as an immediate and tangible consequence for dangerous driving behaviors. This measure will deter future traffic violations and protect public safety.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee recognizes the public safety purpose of preventing unsafe drivers from immediately resuming operation of a motor vehicle. Your Committee also notes, however, that pre-conviction towing and impoundment authority implicates constitutional considerations, including the reasonableness of a seizure and the need for clear standards to avoid arbitrary enforcement. Your Committee further finds that the "valid public safety concern" standard should be supported by specific and articulable facts to promote consistency and strengthen the measure's legal defensibility. Additionally, your Committee notes that registered owners are often different from the cited operator and may therefore incur significant burdens despite not participating in the alleged violation. Accordingly, your Committee respectfully requests that subsequent Committees to which this measure is referred consider these issues.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2010, S.D. 1, as amended herein, and recommends that it pass



Third Reading in the form attached hereto as S.B. No. 2010,  
S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



