

*The Judiciary, State of Hawaii*  
*Kā 'Oihana Ho'okolokolo, Moku'āina 'o Hawai'i*

**Testimony to the Thirty-Third State Legislature, 2026 Regular Session**

**Senate Committee on Judiciary**

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Tuesday, April 7, 2026 at 10:15 a.m.  
Hawai'i State Capitol, Conference Room 016

by

Michelle D. Acosta

Deputy Chief Court Administrator

District Court of the First Circuit

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 1692, H.D. 2, S.D. 1, Relating to Traffic Safety

**Purpose:** Part I: Requires drivers approaching stationary vehicles displaying warning signals to slow down and make a lane change if possible and safe to do so and come to a complete stop if necessary. Part II: Prohibits the operation of a pickup truck with a passenger seated in the bed or load-carrying area on roadways with posted speed limits of forty-six miles per hour or higher and roadways with three or more lanes traveling in the same direction. Provides certain exemptions from passenger restrictions. Increases the minimum age to ride in the bed or load-carrying area of a pickup truck while in operation from twelve years of age to eighteen years of age. Effective 7/1/3000. (SD1)

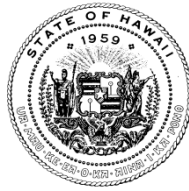
**Judiciary's Position:**

The Judiciary takes no position on the merits of this measure and offers the following comments for consideration.

The Judiciary respectfully requests that the effective date be set no earlier than January 1, 2027. This additional time is critical to ensure proper implementation by the courts, which would include necessary updates to the Judiciary Information Management System (JIMS) and traffic payment system, and adjustment of operational resources to account for a possible increase to the traffic court calendar.

Thank you for the opportunity to testify on House Bill No. 1692, H.D. 2, S.D. 1.

JOSH GREEN, M.D.  
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**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
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Tuesday, April 7, 2026  
10:15 AM  
State Capitol, 016

**HB1692, HD2, SD1**  
**RELATING TO TRAFFIC SAFETY**

Senate Committee on Judiciary

The Department of Transportation (DOT) supports HB1692, HD2, SD1.

This bill amends Hawaii Revised Statutes § 291C-27 to require drivers approaching stationary vehicles stopped on the shoulder or roadside due to traffic collisions or mechanical problems to slow down and, where possible, change lanes to provide a safe buffer. The bill also prohibits passengers from riding in the beds of pickup trucks on high-speed roadways and raises the minimum age for riding in a truck bed to 18 years of age.

The DOT supports this measure as it directly advances the safety of motorists, first responders, roadside assistance workers, and all individuals who may find themselves in vulnerable positions along Hawaii's roadways. Stationary vehicles on the shoulder or roadside present significant hazards, and drivers who fail to slow down or move over contribute to a disproportionate number of serious and fatal crashes. Expanding the existing move-over law to encompass all stationary vehicles displaying safety signals — not solely emergency and law enforcement vehicles — closes a critical gap in current statute and aligns Hawaii with best practices adopted by numerous other states across the nation.

The prohibition on passengers riding in pickup truck beds on high-speed roads, combined with raising the minimum age for truck bed occupancy to 18, further strengthens public safety protections. Riding in an open truck bed exposes occupants to severe injury or death in the event of sudden stops, turns, or collisions. These provisions reflect a sound, evidence-based approach to reducing preventable roadway fatalities and injuries, consistent with the DOT's ongoing commitment to the goals of the Safe System Approach and Vision Zero initiatives.

The DOT is committed to supporting legislative efforts that protect the lives of all road users in Hawaii, and we believe HB1692, HD2, SD1 is an important step toward safer roads for residents and visitors alike.

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

**April 7, 2026**

Sen. Karl Rhoads, Chair  
Sen. Mike Gabbard, Vice-Chair  
Members of the Senate Committee on Judiciary

**Re: HB 1692\_HD2\_SD1 Relating to Stationary Vehicles; Traffic Safety; Duty of Approaching Vehicle**

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AAA Hawai'i is proud to support House Bill 1692\_HD2\_SD1. If enacted, the measure would align Hawai'i's "Slow Down, Move Over" (SDMO) law with 29 states and the District of Columbia by requiring drivers approaching a stopped emergency or stationary vehicle to make a lane change to an adjacent lane only if it is safe and possible to do so and stop if necessary. HB 1692 also prohibits operating pick-up trucks with passengers seated in bed or loading areas with minors without exception and on high speed or multi-lane highways with anyone.

## Background

The first SDMO law in the United States was passed in South Carolina in 1996, after a paramedic named James Garcia was seriously injured by a passing motor vehicle. The injured victim received a traffic citation, but the driver of the striking vehicle did not. This inspired Mr. Garcia to change the law and set off a wave of similar laws across the country. By 2012, all 50 states had enacted SDMO laws, with the minimum goal to protect emergency responders working along roadsides. About 13 specifically define required speed limits or reductions in speed when passes stationary vehicles, albeit HB1692 proposes a broader standard of "slow and prudent". AAA supports both approaches.

In passing HB 2030 (Act 318) in 2012, Hawaii became final state to adopt a SDMO law that covered emergency vehicles and tow trucks. HB 2030 required motorists to slow down and change lanes, if necessary and safe to do so, when passing a stationary emergency vehicle or tow truck. "Emergency vehicle" was defined as police or fire, ocean safety, emergency medical services, or freeway service patrol. The state later added vehicles with Sheriff Divisions, Hawaii Emergency Management Agency, County Emergency Management agencies, Civil Defense, Harbors Division, and Division of Conservation and Resources Enforcement in 2015 (HB436, Act 192).

Hawaii's current SDMO law is confusing and difficult to follow. It applies only to tow trucks and certain public agency vehicles yet expects motorists to know exactly when and where it applies. In practice, drivers often do not. HB 1692 preserves existing protections for emergency vehicles while

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extending protections to all vehicles in distress—especially the most vulnerable road users. Unlike trained professionals, most motorists are not equipped to safely stand on the shoulder of high-speed highways.

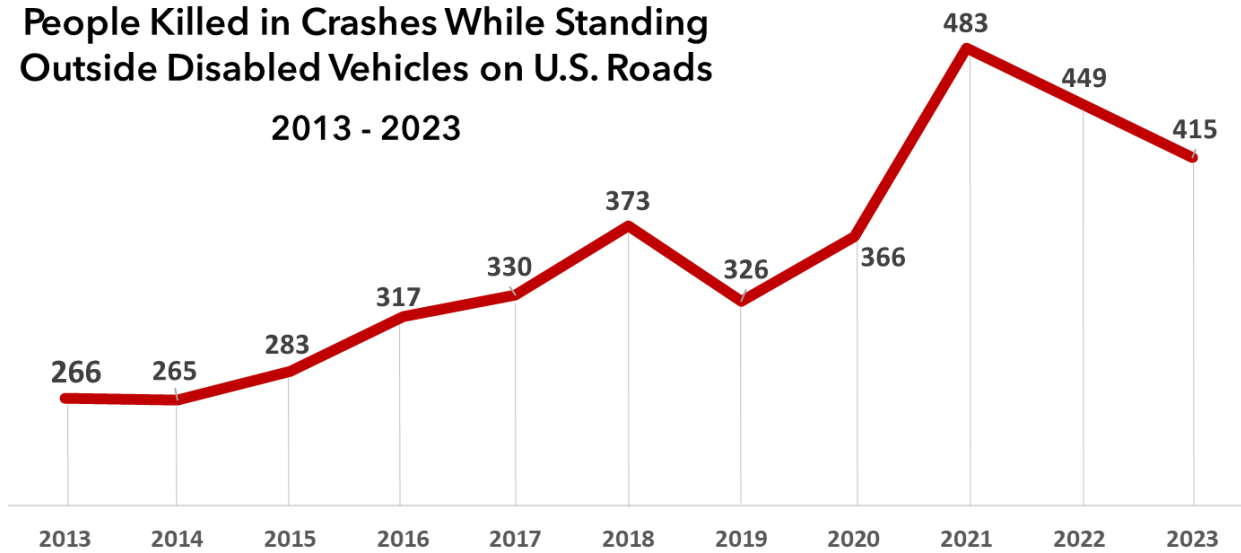
### All Stationary Vehicles

*HB 1692 requires a person driving a vehicle on a highway approaching any stationary vehicle that is stopped on the shoulder or roadside due to a traffic collision or vehicle maintenance or mechanical problem to approach with caution and slow to a reasonable and prudent speed and make a lane change if necessary.*

The AAA Foundation for Traffic Safety (AAAFTS) reviewed the Fatality Analysis Reporting System (FARS) for the number of people killed in crashes while outside a disabled vehicle (2014-2023). In 2021, 483 truck drivers, delivery workers, motorists, and passengers were among those killed while outside of disabled vehicles on highways nationwide. Between 2014 and 2023, total number of people killed outside disabled vehicles in the US was over 3,600. Hawai'i experienced at least 9 fatalities of this type during this period, which is commensurate with other states with similar population in size.

## People Killed in Crashes While Standing Outside Disabled Vehicles on U.S. Roads

2013 - 2023



SOURCE: Data from National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS). Analysis by AAA Foundation for Traffic Safety. Data from years 2014-2022 are considered final; 2023 data may be revised later.

It is important to note that the AAAFTS analysis only reflects the number of people killed while outside vehicles. A separate report by the Safe Transportation Research and Education Center (SafeTREC) at

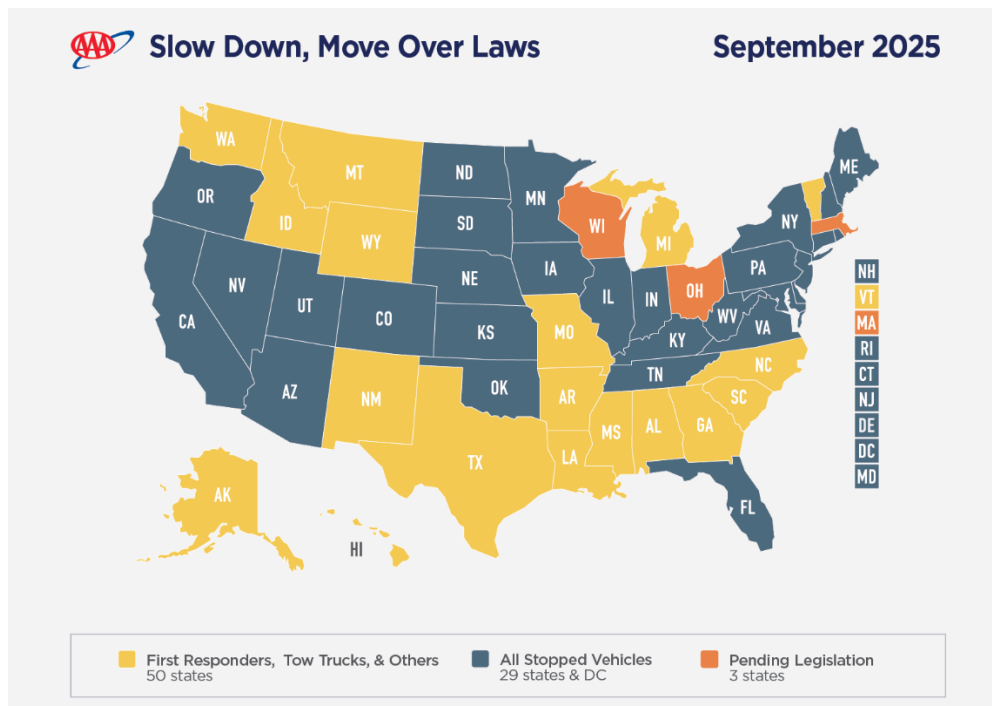
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University of California at Berkeley found over 1,200 individuals were killed in 2022 nationwide because, in many cases, drivers maneuvered too close or fast near parked cars, including road work vehicles or equipment. Most of these fatalities are drivers and passengers inside striking motor vehicles. While the overall concern is that drivers are approaching too fast and close to people and objects on highways, it remains clear those outside vehicles are most vulnerable to serious injury and fatal outcomes when struck by fast moving cars and trucks.

Hawai'i is in the bottom half of the nation without SDMO protections for all stopped vehicles. Since 2011, 29 states plus the District of Columbia have enacted laws requiring motorists to move over a lane and/or slow to reasonable speed when approaching disabled or stationary vehicles displaying warning signals. And more states are considering such an enhancement this year. Most states changed their laws following a 2021 report that hundreds of people are killed and thousands injured each year in crashes involving stopped or disabled vehicles. That report also showed the annual societal cost of those crashes (2016 to 2018) totaled around \$8.8 billion in medical payments, lost wages, and the less easily quantified costs of death or disability.<sup>1</sup> As Hawai'i continues to prioritize highway safety, comprehensive legislation is essential to ensure meaningful protection for all vulnerable road users.



## Pickup Trucks

AAA supports the correct use of occupant restraint systems and policies that ensure all passengers ride in appropriate, protected seating positions within a vehicle.

Riding in the open bed of a pickup truck is extremely dangerous and results in hundreds of fatalities each year, with children and teens accounting for more than half of these deaths. According to NHTSA data, passengers in cargo areas are frequently ejected or fall from vehicles during crashes, sharp turns, or sudden braking, often suffering severe head injuries or death. Pickup truck beds are not designed to

transport occupants safely and offer none of the protections provided by seat belts, airbags, or reinforced passenger compartments. Measures that prohibit riding in cargo areas would help ensure passengers remain in designated seating positions equipped with proper safety protection.

Consistent with its longstanding policy on occupant protection, AAA calls on lawmakers to enact legislation prohibiting all individuals, especially minors, from riding in the cargo areas of pickup trucks. AAA further encourages states to implement educational campaigns highlighting the dangers of allowing dogs and other animals to ride unrestrained inside passenger compartments or in truck beds unless they are properly secured in animal carriers.

### **Comprehensive Approach**

AAA recognizes that Slow Down Move Over (SDMO) laws alone will not eliminate all roadside collisions and that every driver shares responsibility for roadway safety. Equally important are strong passenger restraint and seat belt laws, which reduce the severity of injuries when crashes occur and remain one of the most effective tools for saving lives.

However, SDMO laws—such as HB 1692—provide a critical mechanism for encouraging drivers to slow down and create safe space when approaching first responders, tow operators, and other vulnerable road users on the roadside. By reinforcing safe speed and lane-change behavior, these laws help prevent tragedies before they occur.

AAA is committed to a comprehensive approach to reducing roadside collisions nationwide. This includes promoting robust occupant protection and seat belt use, preventing dangerous driving behaviors such as impaired, drowsy, and distracted driving, increasing public awareness of SDMO requirements, supporting effective law enforcement, and advancing vehicle technologies such as in-vehicle alert and advanced warning systems.

We strongly encourage a YES vote on HB 1692\_HD2\_SD1.

Respectfully Submitted,



Marianne Kim  
Senior Public Policy Specialist

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<sup>i</sup> Spicer, et al. "[Frequency and cost of crashes, fatalities, and injuries involving disabled vehicles](#)". Journal of Accident Analysis & Prevention (March 2021)



## Testimony of the Oahu Metropolitan Planning Organization

### Senate Committee on Judiciary

**04/07/26 10:15 AM**  
**CR 016 & Videoconference**

**HB1692 HD2 SD1**  
**RELATING TO TRAFFIC SAFETY**

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports HB1692 HD2 SD1** which requires drivers approaching stationary vehicles displaying warning signals to slow down and make a lane change if possible and safe to do so and come to a complete stop if necessary, prohibits the operation of a pickup truck with a passenger seated in the bed or load-carrying area on roadways with posted speed limits of forty-six miles per hour or higher and roadways with three or more lanes traveling in the same direction, provides certain exemptions from passenger restrictions, and increases the minimum age to ride in the bed or load-carrying area of a pickup truck while in operation from twelve years of age to eighteen years of age.

This bill supports our goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities in Hawaii increased over twenty (20) percent between 2024 and 2025; most alarming, Oahu saw an increase of over sixty (60) percent in fatalities in the same period. A 2011 study conducted by [AAA Foundation for Traffic Safety](#) found that the average risk of death for a pedestrian reaches 50% at an impact speed of 42 MPH, 75% at 50 MPH, and 90% at an impact speed of 58 MPH. This has put our first responders and individuals stopped on shoulders or roadside at tremendous risk when addressing traffic collisions, vehicle maintenance, or mechanical issues.

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.