

# TESTIMONY OF EVAN OUE ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) WITH COMMENTS ON HB 2480

Date: Tuesday February 11, 2026

Time: 1:00 p.m.

My name is Evan Oue and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) with **COMMENTS** on HB 2480, Relating to Emergency Response. While HAJ appreciates the intent of the measure, we have **concerns with HB 2480** in its current form as it grants immunity for liability for first responders during periods of evacuations.

Hawaii law requires that all first responders, such as ambulance EMTs, police, firefighters, emergency room doctors and nurses, and others, perform their jobs with reasonable care under the circumstances. Emergency responders are already held to a standard of care and Hawaii law takes into account how a reasonable responder would act during an emergency evacuation. There is no public policy justification for condoning negligent job performance during an evacuation.

Further, under Hawaii law “any person who in good faith renders emergency care, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or emergency shall not be liable for any civil damages resulting from the person's acts or omissions, **except for such damages as may result from the person's gross negligence or wanton acts or omissions.**” HRS. § 663-1.5.

Additionally, the provision that waives liability for failing to comply is concerning. The assumption of liability is inherent within tort law and failing to comply will be accounted for when considering the totality of the circumstances. In turn, this express waiver is unnecessary in it's application to evacuation periods.

HAI respectfully recommends that HB 2480 be held to rely on existing liability protections under Hawaii law. Thank you for allowing us to testify regarding this measure. Please feel free to contact us should you have any questions or desire additional information.

**HB-2480**

Submitted on: 2/10/2026 12:07:39 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

**LATE**

**RECEIVED**  
**Date & Time**  
Feb 10, 2026, 12:43 pm

Submitted By	Organization	Testifier Position	Testify
Shelby "Pikachu" Billionaire	Kingdom of The Hawaiian Islands & Ohana Unity Party	Support	Remotely Via Zoom

Comments:

**\*\*Testimony in Strong Support of HB2480\*\***

**\*\*Relating to Emergency Response\*\***

Aloha Chair and Members of the Committees,

I strongly support HB2480, which establishes the "Emergency Responder Predictive Evacuation and Known Danger Immunity Act." This bill provides critical legal protections for first responders (firefighters, EMTs, police, and emergency workers) by granting immunity from liability when issuing predictive evacuation orders based on credible threat modeling, and when they cannot safely conduct rescues during active hazard periods if individuals willfully ignore orders (knowingly remaining in evacuation zones).

It also allows responders to prioritize stabilization and recovery post-hazard, while including exceptions for those without sufficient notice or ability to evacuate. Hawaii's vulnerability to disasters—wildfires, hurricanes, floods, and severe weather—demands better tools for effective response. The 2023 Maui wildfires, the deadliest U.S. wildfire in over a century, killed at least 102 people, destroyed over 2,200 structures, and displaced thousands, partly due to challenges in evacuations, communication failures, and systemic issues in preparedness (as detailed in the Fire Safety Research Institute's Phase 2 report and Maui Police Department's after-action findings).

Recent events, like the February 2026 severe weather emergency proclamation statewide (heavy rains, flash flooding, damaging winds), underscore ongoing risks. This bill addresses key gaps: - Encouraging public compliance with evacuation orders to reduce unnecessary rescues that endanger lives. - Protecting responders from lawsuits when hazards make entry unsafe, helping retain skilled personnel amid high-stress roles. - Promoting predictive modeling for proactive evacuations, potentially saving lives as disasters intensify due to climate factors.

By shifting some risk assumption to those who willfully non-comply, HB2480 enhances public safety, supports first responders, and aligns with lessons from past tragedies without undermining accountability. It costs nothing fiscally while preventing future harm. I urge swift passage of HB2480 to strengthen Hawaii's emergency framework. Mahalo for your consideration.

Respectfully submitted,

Master Shelby "Pikachu" Billionaire, HRM

Kingdom of The Hawaiian Islands, H.I.

Ohana Unity Party, Chairman [www.Ohanaunityparty.com](http://www.Ohanaunityparty.com)

Presidentbillionaire@gmail.com

**HB-2480**

Submitted on: 2/10/2026 12:17:58 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

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**Date & Time**  
Feb 10, 2026, 12:43 pm

**LATE**

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Support	Written Testimony Only

Comments:

I support this bill.

**HB-2480**

Submitted on: 2/10/2026 2:33:47 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

**RECEIVED**  
**Date & Time**  
Feb 10, 2026, 3:02 pm

**LATE**

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Bellati and Members of the Committee,

I am writing in strong support of HB2480.

During emergencies and mandatory evacuations, first responders are making rapid, high-risk decisions to protect life and property. This bill appropriately protects emergency responders from liability when acting in good faith during evacuation periods.

HB2480 also clearly establishes personal responsibility by recognizing that individuals who willfully refuse to comply with evacuation orders assume the risk of their decision and waive liability. This is a reasonable and necessary balance that supports public safety while allowing emergency personnel to do their jobs without fear of unjust legal consequences.

Protecting emergency responders ensures faster, more decisive action during disasters and ultimately saves lives.

I respectfully urge your support of HB2480.

Mahalo,

Teri Kia Savaiinaea

Wai'anae resident

**HB-2480**

Submitted on: 2/10/2026 3:39:46 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

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**Date & Time**  
Feb 10, 2026, 3:55 pm

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terri Yoshinaga	Individual	Support	Written Testimony Only

Comments:

I support this bill.

**HB-2480**

Submitted on: 2/10/2026 4:19:46 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

**LATE**

**RECEIVED**  
**Date & Time**  
Feb 11, 2026, 7:35 am

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Support	Written Testimony Only

Comments:

Chair Belatti and Committee Members,

My name is Brett Kulbis, I'm a 26yr retired Navy Veteran, who took a solemn oath to defend the Constitution from all enemies foreign and domestic, and that oath didn't expire when I retired. I live in Ewa Beach.

I SUPPORT BILL HB-2480.

HB-2480 rightly recognizes that first responders should not be compelled, legally or practically, to undertake reckless rescues for individuals who knowingly and willfully disregard lawful evacuation orders during active hazard periods. It also reinforces the common-sense notion that adults who choose to ignore clear warnings must bear the consequences of those decisions, rather than shifting legal liability onto public servants and taxpayers. With that in mind, I respectfully offer the following recommended amendments to strengthen HB-2480 and guard against unintended consequences.

### 1. Clarify “credible threat modeling”

The bill defines a “predictive evacuation order” as one issued “based on credible threat modeling,” but does not explain what meets that threshold. To prevent government overreach or politicized use of “emergency” powers, and to ensure trust in the system, I recommend:

- Requiring that “credible threat modeling” be tied to recognized scientific or professional standards (e.g., National Weather Service data, USGS assessments, or comparable expert agencies).
- Requiring documentation of the basis for each predictive evacuation order, including the data and models relied upon.
- Encouraging multi-agency consultation where time and circumstances reasonably allow.

This will help ensure that immunity is grounded in objective, documented risk, not in arbitrary or speculative decisions.

### 2. Better define “sufficient notice or ability to evacuate”

HB-2480 properly exempts situations where an individual “lacked sufficient notice or ability to evacuate.” To protect the elderly, disabled, low-income residents, and those facing language or transportation barriers, this phrase should be more clearly defined.

Suggested changes include:

- Clarifying that “sufficient notice” includes reasonable efforts at communication using multiple channels (e.g., sirens, text alerts, radio/TV, and, where appropriate, multilingual messaging).
- Clarifying that “ability to evacuate” includes access to transportation, physical and cognitive ability, and the presence of caretaking obligations that may require additional assistance or time.
- Requiring that the responsible agencies make and document reasonable efforts to facilitate evacuation for those who cannot leave on their own.

These clarifications honor our moral obligation to protect the vulnerable while still holding willfully noncompliant individuals accountable.

### **3. Narrow and condition the immunity provisions**

Shielding first responders and agencies from unfair lawsuits when they act reasonably and in good faith. However, immunity should be carefully tailored to avoid sheltering gross negligence or intentional misconduct.

I would recommend language to:

- Explicitly state that immunity does not apply in cases of gross negligence, willful misconduct, or knowing reliance on false or manipulated data.
- Make clear that immunity attaches when:
  1. A predictive evacuation order was issued pursuant to documented, credible threat modeling; and
  2. Reasonable notice and evacuation assistance efforts were undertaken; and
  3. The individual clearly had the ability and opportunity to evacuate and chose not to do so.

Such conditions preserve accountability while still protecting those who act responsibly under emergency conditions.

### **4. Preserve professional discretion and voluntary heroism**

HB-2480 wisely states that no responder is required to enter a danger zone during an active hazard period once a predictive evacuation order has been issued and hazards are present. That respects both common sense and the value of our emergency personnel.

To avoid chilling legitimate professional judgment or voluntary acts of courage, the Legislature may wish to include clarifying language in the findings or the statute that:

- Nothing in this Act prohibits an individual responder, using professional judgment and within departmental policies, from attempting a rescue if they believe it can be carried out safely enough.
- This Act governs legal duty and liability, not the moral courage, professionalism, and self-sacrifice that many responders may choose to display.

This balance respects both human life and human freedom: we do not legally compel reckless heroism, but we also do not forbid it when freely chosen within reasonable protocols.

## **5. Emphasize personal responsibility and community duty**

Finally, HB-2480 is an opportunity to send a clear cultural message: emergency warnings matter, and individuals have a duty to act responsibly for their own safety and for the safety of their neighbors and first responders. At the same time, families, churches, and community organizations retain a moral responsibility to help the vulnerable prepare, evacuate, and recover; government cannot and should not do everything.

Language in the findings could underscore:

- The importance of personal responsibility in following evacuation orders.
- The shared responsibility of families, faith communities, and civic groups to assist those who cannot easily evacuate.

This reinforces the conservative conviction that strong communities, not just strong laws, are essential to resilience.

With these amendments, I believe HB-2480 would more fully: protect those who serve, insist on personal accountability, limiting and clarifying state power, safeguarding the vulnerable, and strengthening trust in lawful emergency authority.

I respectfully urge you to pass HB-2480 with the recommended clarifications and safeguards.

Mahalo,  
Brett Kulbis

**HB-2480**

Submitted on: 2/10/2026 4:57:12 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

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Feb 11, 2026, 7:35 am

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline Beckman	Individual	Support	Written Testimony Only

Comments:

Dear Legislatures,

I firmly support this bill to protect emergency responders from liability during periods of evacuation. Provides that individuals who willfully fail to comply with the evacuation assume the risk and waive liability.

Mahalo,

Jackie Beckman

**HB-2480**

Submitted on: 2/10/2026 9:50:18 PM  
Testimony for PBS on 2/11/2026 8:40:00 AM

**LATE**

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**Date & Time**  
Feb 11, 2026, 7:36 am

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy Valdez	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Board Members!

I am in support of HB2480. During emergencies and evacuations, first responders must make rapid, high-risk decisions to protect lives and property, and they should not face civil liability for actions taken in good faith while carrying out those duties. This bill ensures they can focus on public safety without hesitation or fear of lawsuits. It also appropriately reinforces personal responsibility by clarifying that individuals who willfully refuse to comply with evacuation orders assume the risks of that decision. HB2480 provides a fair and necessary balance between protecting emergency responders and upholding accountability, and I support this bill for passage.

Mahalo,

Nancy Valdez