

The Judiciary, State of Hawai'i
Ka 'Oihana Ho'okolokolo, Moku'āina 'o Hawai'i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

House Committee on Judiciary & Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Tuesday, March 24, 2026, 2:00 p.m.
State Capitol, Conference Room 325 & Videoconference

By

Dana L. Nakasato
ITSD Applications Division Chief

Bill No. and Title: Senate Bill No. 2146, SD1 HD1, Relating to Traffic Infractions

Purpose: Part I: Establishes a Traffic Fines Task Force that will examine the Finnish tiered traffic fines system, determine whether a similar system could be implemented in the State, and provide recommendations as to how a system could best be implemented. Appropriates funds. Part II: Imposes a restriction on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations, under certain circumstances. Repeals provisions that would have allowed any person prevented from obtaining or renewing a driver's license or motor vehicle registration solely due to failure to pay any monetary assessment to petition the court for a driver's license or motor vehicle clearance. Effective 7/1/3000. (HD1)

Judiciary's Position:

The Judiciary takes no position on the merits of this measure and is providing the following comments regarding Part II of the measure for consideration.

The Judiciary wants to acknowledge the efforts of the Financial Hardship Task Force created in Act 112 of the 2019 Legislative Session and the Final Report submitted by that task force to the Thirtieth Legislature. The Judiciary is prepared to restore the "stopper" function to the Judiciary Information Management System (JIMS) but will need time to design and test the modifications. Due to the additional language in Senate Bill No. 2146, SD1 HD1 to repeal Act 59 (SLH2020), the Judiciary respectfully requests an effective date of July 1, 2027. This will



Senate Bill No. 2146, SD1 HD1, Relating to Traffic Infractions
House Committee on Judiciary & Hawaiian Affairs
Tuesday, March 24, 2026 at 2:00 p.m.
Page 2

allow the Judiciary to review and update the JIMS system to return to pre-Act 59 functions. The additional time will be needed for analysis of the software, development, and testing.

Thank you for the opportunity to testify on this matter.



ADDRESS
3442 Wai'alaie Ave., Suite 1
Honolulu, HI 96816

PHONE
808-735-5756

EMAIL
bicycle@hbl.org

HOUSE COMMITTEE on TRANSPORTATION
Tuesday - March 24, 2026- 2:00pm

Hawai'i Bicycling League Strongly Supports SB 2146, SD1, HD1, relating to Traffic Infractions

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Eduardo Hernandez and I am the Advocacy Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

HBL strongly supports SB2146, SD1, HD1, to study how a tiered structure for speeding infractions, like one used in Finland, can create a more robust and equitable system to deter speeding. As vulnerable road users, people who bike are disproportionately affected by speeding vehicles, and too often are seriously injured or killed. Speeding remains one of the most difficult driver behaviors to curtail, accounting for 30%, or 12,000 of all the traffic fatalities nationwide in 2023, according to the U.S. Department of Transportation.

But that same year speed was a factor in 58% of Hawai'i traffic fatalities — the highest in the country by 13 percentage points above Rhode Island. In 2025, Hawai'i had the deadliest year in decades on our roadways. Meanwhile in 2024, Helsinki, the capital of Finland, with a population of nearly 700,000 residents went a full year without a single traffic fatality. They did this through a combination of methods, including slowing allowable speeds and a tiered traffic infraction system that incentivizes drivers to slow down.

In Hawai'i, we have adopted Vision Zero as a traffic safety goal at the State and County levels, but we are not realizing the intended goals. Studying the model that Finland uses could raise awareness for all road users about the need to better manage speeding, as well as identify practical solutions that Hawai'i can implement for safer outcomes.

I urge you to pass SB 2146, SD1, HD1 and move it along for further consideration this legislative session.

Mahalo for the opportunity to share testimony on this important public safety matter..

S/Eduardo Hernandez

Eduardo Hernandez
Advocacy Director
Hawai'i Bicycling League

Statement of Opposition in Part and Support In Part to S.B. 2146

An Act Relating to Traffic Infractions

To: The Honorable David Tarnas, Chairman
Members of the Judiciary & Hawaiian Affairs Committee

From: Sarah Couture, Regional Director
Fines and Fees Justice Center

Date: March 23, 2026

My name is Sarah Couture, and I am a Regional Director at the Fines and Fees Justice Center (FFJC). I am writing in **opposition to Part II of SB2146 and in support of Part I**, an Act Relating to Traffic Infractions.

Part II of SB 2146 would force Hawaiians back into the very cycle of poverty and legal entanglement that the state has spent the last several years successfully dismantling.

Summary: Remove Part II of SB2146 and Vote Yes for Part I

Part II of SB 2146 is a counterproductive rollback of Hawai'i's driver's license and registration reforms that passed through Act 59 in 2020. The legislators who helped pass Act 59 recognized the importance of eliminating barriers for working Hawaiians. As amended in the Committee on Transportation, Part II rolls back the entirety of Act 59. If passed, Part II would hurt your constituents – undermining their ability to pursue and maintain meaningful employment, attend medical appointments, buy groceries, or even take their children to school.

I understand the concerns expressed by the Committee on Transportation regarding the need for Part II to be added to SB 2146; the legislature is worried that people are failing to pay their traffic infractions. **Across the country, throughout our work, we have seen time and again that when people do not pay, it is because they cannot pay.** Under Hawai'i's

current system of flat fines and fees, people cannot afford to pay because their ability to do so is not taken into account. Part I of SB 2146 that would establish a task force to study the Finnish tiered system of traffic fines and determine whether a similar system could be implemented in the State of Hawai'i is attempting to address the concerns regarding failure to pay.

But repealing Act 59 through Part II of SB2146 would create significant barriers to employment for Hawaiians already struggling to make ends meet. In the state of Hawai'i, more than 79.6% of workers rely on a car to get to work.¹ As a result, reinstating “stoppers” would mean a loss of reliable transportation to and from work for the vast majority of people.² Public transit is not a realistic option in Hawai'i, where only 4.3% of the workforce relies on public transportation.³

Given that a driver's license is a necessity for so many to maintain employment, it's no surprise that a valid driver's license is a greater predictor of employment than a high school diploma for lower-income workers.⁴ One study found that 42% of people lost their jobs when their license was suspended, and the impact was even greater for low-income people — 64% of people with an income below \$30,000 ultimately lost their jobs as a result of losing their driver's license.⁵ Additionally, a driver's license is often required to be eligible for certain jobs — not only for the 30% of jobs that entail driving,⁶ but also to apply for many jobs that do not require driving.⁷

Part II is not just harmful, but also counterproductive to your stated goals. Because debt-based “stoppers” directly impact people's ability to earn a living, people would be less able to pay off what they owe. Part II of SB 2146 would have the opposite impact of its expressed goal of compelling payment. Driver's license suspensions are a practice intended to coerce payment of fines and fees. However, data shows that **there is no correlation between suspensions and improved payments;** in fact, there is often higher

¹ U.S. Census Bureau, *Means of Transportation to Work by Selected Characteristics: 2024 American Community Survey 1-Year Estimates (Table S0801) (2024)*, available at <https://data.census.gov/table/ACSST1Y2023.S0802?q=Commuting&g=040XX00US28>.

² U.S. Census Bureau, American Community Service, *Means of Transportation to Work by Travel Time to Work (Table B08134) (2024)*, available at <https://data.census.gov/table/ACSST1Y2024.B08134?q=Commuting&g=040XX00US15>.

³ U.S. Census Bureau, *Commuting Characteristics by Sex: 2024 American Community Survey 1-Year Estimates (Table S0801) (2024)*, available at <https://data.census.gov/table/ACSST1Y2024.S0801?q=Commuting&g=040XX00US15>.

⁴ John Pawasarat, *The Driver License Status of the Voting Age Population in Wisconsin*, University of Wisconsin-Milwaukee Employment & Training Institute (2006), available at https://dc.uwm.edu/cgi/viewcontent.cgi?article=1067&context=eti_pubs.

⁵ Jon A. Carnegie, *Driver's license Suspensions, Impacts and Fairness Study*, NJDOT Bureau of Research (Aug.2007), available at <https://www.nj.gov/transportation/business/research/reports/FHWA-NJ-2007-020-V1.pdf>.

⁶ U.S. Bureau of Labor Statistics, *The Economic Daily, 30 percent of civilian jobs require some driving in 2016* (Jun. 27, 2017), available at <https://www.bls.gov/opub/ted/2017/30-percent-of-civilian-jobs-require-some-driving-in-2016.htm>.

⁷ See, e.g., Alana Semuels, *No driver's license, no job*, *The Atlantic* (Jun. 15, 2016), available at <https://www.theatlantic.com/business/archive/2016/06/no-drivers-license-no-job/486653/>.

collection in places that do not use the practice. Researchers in Tennessee and Texas have found no significant improvement in collection rates when courts use debt-based license suspensions as a consequence for nonpayment.⁸ One study found courts that used license restrictions in Texas collected \$45 less on average than courts that did not use those restrictions.⁹

Repealing Act 59 and reinstating “stoppers” would not only harm individuals but also the state of Hawai’i as a whole. This widespread incapacitation of workers due to debt-based driver’s license suspensions causes broad economic harm. Researchers have estimated that debt-based driver’s license restrictions in Texas led to \$5.5 billion in lost earnings annually, and led to \$1.3 billion in lost earnings annually in Illinois.¹⁰ The large amount of lost earnings ultimately means less revenue from state income, sales, and gas taxes. An Alabama study showed that driver’s license suspensions in that state actually resulted in tax revenue losses that exceeded the amount of money collected in fines and fees.¹¹ The inability of people to get to work due to a lack of a driver’s license ultimately means that Hawaiian businesses will struggle to find workers to fill vacant positions, hindering statewide economic growth. The Executive Vice President and Chief Policy Officer of the U.S. Chamber of Commerce has explained the impact of debt-based license suspensions on businesses: “[E]mployees can’t get to work, goods and services can’t be transported, and the workforce talent pool may be limited. Challenges in recruiting and retaining a skilled and diverse workforce due to debt-based suspensions could limit productivity and ultimately affect a company’s success.”¹²

The fact is that **Hawaiians cannot afford to pay their fines and fees** as they are forced to make choices between paying for gas, buying groceries, paying bills or paying their traffic citations. The average per gallon of the price of gas in Hawai’i is \$5.21 as of today and Hawai’i also tops the list of the most expensive grocery states, with weekly costs averaging \$157(a 9.6% increase from 2025) - roughly \$8,100 annually, which is about \$2,000 more than the national average.¹³

⁸ Think Tennessee, *Reducing the Harms of Court Debt: Driver’s License Revocations are an Ineffective Policy for Increasing Court Collections* (2022), available at <https://www.thinktennessee.org/wp-content/uploads/2022/11/drivers-license-revocation-report.pdf>; Texas Appleseed & Texas Fair Defense Project, *Driven by Debt: The Failure of the OmniBase Program* (2021), available at <https://www.texasappleseed.org/sites/default/files/2023-05/omnibaserevenuereport-aug11-final.pdf>.

⁹ *Id.*

¹⁰ Colleen Chien, *The Financial Impact of Lost Licenses in Texas*, Santa Clara Law Digital Commons (2023); Colleen Chien, *The Financial Impact of Suspended Licenses in Illinois*, Santa Clara Law Digital Commons (2023).

¹¹ Peter A. Jones, Univ. of Alabama at Birmingham, *Measuring the impact of suspended licenses on state tax revenue* (2022).

¹² Letter from Advocacy and Business Organizations to United States Senate Leadership in Support of the federal Driving for Opportunity Act of 2023 (Sep. 12, 2023), available at https://www.freetodrive.org/wp-content/uploads/2023/09/Driving-for-Opportunity-Act_Letter-of-Support_2023_Final.pdf.

¹³ AAA, *Fuel Prices*, (March 23, 2026), available at <https://gasprices.aaa.com/?state=HI>; MSN, *Hawaii Tops 2026 Grocery Cost List* (March 2026), available at <https://www.msn.com/en-us/news/insight/hawaii-tops-2026-grocery-cost-list/gm-GMD507D0AC?gemSnapshotKey=GMD507D0AC-snapshot-0&uxmode=ruby>

Part I of SB2146 would allow for the creation of a task force to look at solutions that take into consideration the ability of individuals to pay. In addition to the Finnish tiered traffic fines system, **I also encourage you to review California’s MyCitations program** which is an online tool to allow individuals with traffic infractions to request an ability to pay determination.¹⁴ When California ended its debt-based suspension policy, and in lieu of suspension offered an array of practical alternative collection methods — including an ability to pay determination and opportunities for reduced payments, payment plans, or community service — their collection rate for newly issued tickets increased by 8.9%.¹⁵ Additionally, I would **encourage that the task force responsibilities be expanded to include examining the fees that accompany the traffic fines in Hawai’i** as we know that fees can add up and oftentimes total more than the fine amount. Only looking at the fines portion when determining someone’s ability to pay will not fully solve the failure to pay issue.

Hawai’i is a leader in Ending Debt-Based Driver’s License Restrictions. Hawai’i has earned national recognition as a pioneer in the *Free To Drive* campaign — a nationwide, bipartisan effort to end debt-based license suspension — by decoupling driving privileges from debt collection. Once home to some of the most restrictive license and registration laws in the country, **Hawai’i became a national model for reform through the passage of Act 59 in 2020.** This bipartisan legislation officially ended the use of “stoppers” for failure to pay fines and fees (FTP).

Hawai’i’s leadership as a national trailblazer in this policy area reinforces the fact that debt-based suspensions are an issue about which organizations as ideologically divergent as ALEC and the ACLU have reached the same conclusion: They are counterproductive and harmful and should be eliminated. The ALEC resolution urging state lawmakers to end debt-based license suspensions and limit suspensions to offenses involving dangerous driving explains, “A person whose driver’s license is suspended will often find it more difficult to earn a living and therefore pay the debt they owe to the government.”¹⁶

The growing national and bipartisan recognition that debt-based license suspensions are counterproductive has led to widespread legislative reform in states across the country. **In just the last few years, 26 states have passed reforms to either end or significantly curb debt-based driving suspensions,** including Arizona, Arkansas, California, Colorado, Delaware, Hawai’i, Idaho, Illinois, Indiana, Maine, Maryland, Michigan, Minnesota,

¹⁴ Report to the Legislature. *Online Infraction adjudication and Ability-to-Pay Determinations (2025)*, available at https://courts.ca.gov/system/files/file/2025_online-infraction-adjudication-and-ability-pay-determinations.pdf

¹⁵ The Financial Justice Project, San Francisco, *Driving Toward Justice (2020)*, available at <https://www.sfgov.org/financialjustice/files/2020-04/DrivingTowardJustice.pdf>

¹⁶ American Legislative Exchange Council, *Resolution in Support of Limiting Driver’s License Suspensions to Violations that Involve Dangerous Driving (2018)*, available at <https://alec.org/model-policy/resolution-in-support-of-limiting-drivers-license-suspensions-to-violations-that-involve-dangerous-driving/>.

Mississippi, Montana, New Mexico, New York, Nevada, Ohio, Oregon, Texas, Utah, Vermont, Virginia, Washington and West Virginia.¹⁷

For over five years, ending non-driving-related "stoppers" has been a beneficial step to improving public safety, workforce development, and economic growth in Hawai'i. **By reintroducing these barriers, Part II of SB 2146 would force Hawaiians back into the very cycle of poverty and legal entanglement that the state has spent the last several years successfully dismantling.** Not having a driver's license can make meeting one's most basic needs almost impossible, particularly for residents of rural areas and smaller cities without public transportation. Without a driver's license, people can't take their children to school, get to the grocery store, access healthcare, or get to court. I urge the committee to carefully consider the pitfalls of this policy change, which would strip citizens of their livelihoods without achieving its intended goal of improving traffic infraction payments.

Rather than returning to a system that prioritizes punishment over practical results, we encourage the legislature to explore innovative policy solutions discussed in Part I of SB 2146 to address the concern of failure to pay traffic infractions. Proven methods, such as fines and fees based on an individual's ability to pay and alternatives to fines and fees for those unable to pay offer a more effective way to ensure accountability while allowing people to maintain their lives and well-being. **I urge you to maintain Hawaii's position as a national leader and vote to remove Part II of SB 2146.**

Respectfully submitted,

Sarah Couture

Sarah Couture, Regional Director
Fines & Fees Justice Center
scouture@finesandfeesjusticecenter.org

About the Fines & Fees Justice Center

The Fines and Fees Justice Center is a national hub for information, advocacy, and collaboration for the reform of fines and fees. Our mission is to eliminate fees in the justice system, ensure that fines are equitably imposed, end abusive collection practices and the collateral consequences — such as debt-based license suspensions — of fine-and-fee imposition. Fines and fees, and their attendant consequences, hurt millions of Americans — entrenching poverty, exacerbating racial disparities, diminishing trust in our courts and police, and trapping people in perpetual cycles of punishment. FFJC spearheads the national, bipartisan Free to Drive coalition working to end driving restrictions on account of debt. Learn more about our work at www.finesandfeesjusticecenter.org and www.freetodrive.org.

¹⁷ See maps at Free to Drive, <https://www.freetodrive.org/maps/#page-content>; see also Joni Hirsch & Priya S. Jones, *Driver's License Suspension for Unpaid Fines and Fees: The Movement for Reform*, 54 U. Mich. J.L. Reform 875 (2021), available at <https://repository.law.umich.edu/mjlr/vol54/iss4/5>.



HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFIARS
SB2146 SD1 HD1 Relating to Traffic Infractions
March 24, 2026, at 2:00 PM, State Capitol CR 325 and Videoconference

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee,

Thank you for the opportunity to testify in OPPOSITION to SB2146 SD1 HD1.

The bottom line is, SB2146 violates privacy and discriminates against citizens based on their income.

I support traffic law compliance for public safety but oppose government overreach into citizens' income information.

Requiring law enforcement to access everyone's income for traffic enforcement creates unnecessary and improper administrative burdens for multiple state agencies, including police, tax authorities, and courts.

Sharing someone's income information could seriously threaten citizens' privacy and increase cybersecurity expenses for every agency managing the program. If a security breach occurred, the State might face lawsuits and liability claims from citizens, which would raise the overall costs of running such a program even more.

Please vote NO on SB2146 SD1 HD1.

Respectfully submitted,
Jamie Detwiler, President, Hawaiian Islands Republican Women



**Testimony for Hawai'i Appleseed Center for Law and Economic Justice
Support for SB2146 - Relating to Traffic Infractions
Committee on Judiciary and Hawaiian Affairs (JHA)
Tuesday, March 24, 2026 at 2:00PM**

Dear Chair Tarnas, Vice Chair Poepoe, and members of the JHA committees, Mahalo for the opportunity to express **COMMENTS for SB2146 SD1 HD1**, which would establish a Traffic Fines Task Force to examine the Finnish tiered traffic fines system and determine whether a similar system could be implemented in the State of Hawai'i (Part I). The current version of the bill also imposes a restriction on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations, under certain circumstances (Part II).

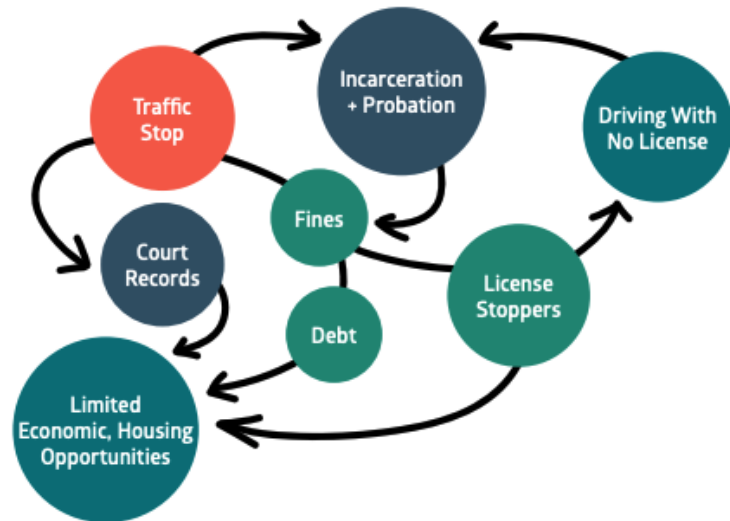
Generally speaking, our organization is in **support of Part I of the measure, but is in opposition to Part II of the measure.**

PART I: TRAFFIC FINES TASK FORCE

We are in support of Part I of SB2146 as it could lead to strategies to address the negative of traffic stops.

Traffic stops are often framed as minor or routine interactions. In reality, they can serve as entry points into a web of interrelated consequences that extend far beyond the initial citation. The financial impacts of traffic citations can be particularly burdensome for low-income individuals. A single traffic ticket can impose significant financial strain on those who are already struggling to make ends meet, often leading to a cascade of missed payments and debt.

How Traffic Stops Can Lead to Cycles of Poverty



For example, unpaid tickets are typically sent to debt collectors, which can lead to damage to an individual's credit score. Debt collectors can also add collection fees and interest to the original ticket amount, which can make it even more challenging to pay the ticket off. If left unpaid, debt can lead to

legal consequences (such as potential court appearances and wage garnishment), difficulty in obtaining government services (such as vehicle registration), as well as negative impacts to employment and housing opportunities, as some employers and landlords conduct credit checks as part of the application process.

As such, traffic fines can exacerbate economic hardship, pushing families deeper into debt and making it more difficult for them to meet basic needs. For example, a 2018 Alabama Appleaseed report found that 38 percent of people with fines for violations such as low-level vehicle infractions and non-payment of exorbitant court fees ended up committing more serious crimes, such as selling drugs, illegal sex work, or robbery, to raise the needed money.¹ This reflects a troubling cycle where minor infractions can escalate into more serious criminal behavior, driven by financial desperation.

In early 2025, Hawai'i Appleaseed released a policy report, *Beyond the Ticket*, which examined the negative impacts of traffic enforcement and provided recommendations for a more equitable approach to roadway enforcement.² The report included a recommendation – similar to SB2146 – to explore the implementation of a traffic fines and fees system based on income, instead of using flat fees. This not only ensures that penalties are equitable, but also maintains compliance by making fines manageable.

PART II: REPEALING OF ACT 59

Part II of SB2146 represents a significant step backward from the progress Hawai'i made through Act 59, which removed debt-based barriers to driver's license renewal and vehicle registration. Reinstating these "stoppers" would once again tie a person's ability to drive to their ability to pay—reintroducing a cycle of poverty and legal entanglement that the state has worked to dismantle. For many residents, particularly those with low incomes, unpaid traffic fines are not a matter of unwillingness but of inability to pay under a system that does not account for financial circumstances.

Restricting access to a driver's license or vehicle registration would have immediate and far-reaching consequences for working families. In Hawai'i, the vast majority of workers rely on personal vehicles to commute. One study found that 42% of people lost their jobs when their license was suspended, and the impact was even greater for low-income people—64% of people with an income below \$30,000 ultimately lost their jobs as a result of losing their driver's license.³

Moreover, Part II is counterproductive to its stated goal of improving fine collection. Evidence demonstrates that there is no significant improvement in collection rates when courts use debt-based

¹ Nelson, Leah, Frank Knaack and Dana Sweeney, "Under Pressure: How fines and fees hurt people, undermine public safety, and drive Alabama's racial wealth divide," Alabama Appleaseed Center for Law and Justice, 2018. <https://alabamaappleseed.org/wp-content/uploads/2018/10/AA1240-FinesandFees10-10-FINAL.pdf>

² Seitz, A. and Gilliam, T. "Beyond the Ticket: Recommendations for a More Equitable Traffic Enforcement System," Hawai'i Appleaseed Center for Law and Economic Justice, March 2025. https://static1.squarespace.com/static/601374ae84e51e430a1829d8/t/67c0cf0aceba832254eb5391/1740689172475/Beyond+The+Ticket_FINAL.pdf

³ Jon A. Carnegie, Driver's license Suspensions, Impacts and Fairness Study, NJDOT Bureau of Research, 2007. <https://www.nj.gov/transportation/business/research/reports/FHWA-NJ-2007-020-V1.pdf>.

license suspensions as a consequence for nonpayment.⁴ In fact, in many places the opposite is true. One study found that courts in Texas that used license restrictions collected \$45 less on average than courts that did not use those restrictions.⁵

Rather than reverting to an ineffective and harmful approach, the Legislature should focus on the solutions contemplated in Part I of the bill, which aim to align fines with individuals' ability to pay and promote more equitable and effective outcomes.

SUGGESTED AMENDMENTS

- Assign members of community-based organizations, with technical expertise of Hawai'i's criminal legal system, as part of the traffic fines task force proposed in Part I of SB2146 SD1 HD1.
- Remove Part II of SB2146 SD1 HD1.

Mahalo for the opportunity to testify.

⁴ Think Tennessee, Reducing the Harms of Court Debt: Driver's License Revocations are an Ineffective Policy for Increasing Court Collections, 2022.

<https://www.thinktennessee.org/wp-content/uploads/2022/11/drivers-license-revocation-report.pdf>;

Texas Appleseed & Texas Fair Defense Project, Driven by Debt: The Failure of the OmniBase Program, 2021.

<https://www.texasappleseed.org/sites/default/files/2023-05/omnibaserevenuereport-aug11-final.pdf>.

⁵ Ibid.



Committee: Judiciary & Hawaiian Affairs
Hearing Date/Time: Tuesday, March 24, 2026 at 2:00 PM
Place: Conference Room 325 & Videoconference
Re: **Testimony of the ACLU of Hawai'i offering COMMENTS of SB2146 SD1 HD1 Relating to Traffic Infractions**

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The American Civil Liberties Union of Hawai'i (ACLU-HI) **supports the intent and offers comments** on SB2146 SD1 HD1 which establishes a Traffic Fines Task force to examine the Finnish tiered traffic fines system, determine whether a similar system can be implemented in Hawai'i, and provide recommendations for how a system could best be implemented here. The bill also imposes a a restriction on a person's ability to obtain or renew a driver's license, register or renew a registration, or transfer or receive title to a motor vehicle as a consequence of unpaid fines or fees.

Part I: Establishing a Traffic Fines Task Force

With respect to the establishment of a Traffic Fines Task Force, we support the intent and agree that a scaled system based on the offender's income for traffic fines is an important improvement making our criminal legal system responsive to the financial constraints of Hawai'i residents. Ability to pay should be a required consideration.

However, the task force composition as currently proposed excludes any community organization or impacted individual but does include multiple representatives from law enforcement. We believe this composition is lopsided in favor of law enforcement and would benefit from additions that would increase balance in the voices and experiences of those in the community.

As such, we respectfully request the following amendment:

On page 4:

(10) A representative from a two community organization or non-profit that works with or advocates for criminally impacted low-income individuals.

(11) Two representatives from the Office of the Public Defender.

Part II: Imposing Restrictions for Failure to Pay Fines and Fees

Part II of SB2146 SD1 HD1 essentially repeals ACT 59 Session Laws of Hawai‘i 2020, which the ACLU of Hawai‘i supported.

Stoppers are ineffective and disproportionately burden Hawai‘i’s working poor.

Roughly half of Hawai‘i’s families struggle to meet basic needs.¹ License and registration stoppers, which prevent a person from obtaining or renewing their license or registration until they pay outstanding traffic or parking tickets, unfairly punish this population, who stand to lose much more than their ability to drive. Since the vast majority of Hawai‘i’s workforce drives to work,² losing your license can often mean losing your job, or being unable to take your kids to school or to the doctor. This disproportionately impacts Native Hawaiians, who are more likely to live in poverty and therefore less likely to be able to afford an unanticipated expense. While courts may consider an individual’s ability to pay and may adjust or waive fines, the burden is on motorists to request this and it is the understanding of the ACLU of Hawai‘i that this option is not often utilized; even when an adjustment is requested, the decision of whether to do so is purely at the discretion of the court and there is no set formula for a fine adjustment.

License and registration stoppers do not work. According to a Washington Post study, up to 204,067 Hawai‘i drivers had stoppers on their record in 2017, or roughly 18% of the state’s driving age population in that year.³ Over half of these cases were already in collections at the time of the study. The judiciary has testified that there are approximately 154,000 vehicle registration stoppers, making the total combined number of license and registration stoppers 358,067. These high numbers suggest that the problem is not willful nonpayment, but rather, an inability to pay. Stoppers can never be an effective solution because they do not cure the motorist’s inability to afford their ticket.

¹ *The State of Alice in Hawai‘i, 2025 Update on Financial Hardship*, Aloha United Way.

<https://unitedforalice.org/hawaii>

² U.S. Census Bureau, 2024. American Community Survey, *Hawaii 5-Year Estimates Data Profiles*.

³ Justin Wm. Moyer, *More than 7 million people may have lost driver’s licenses because of traffic debt*, Washington Post (May 19, 2018), https://www.washingtonpost.com/local/public-safety/more-than-7-million-people-may-have-lost-drivers-licenses-because-of-traffic-debt/2018/05/19/97678c08-5785-11e8-b656-a5f8c2a9295d_story.html#comments-wrapper.

License and registration stoppers are not only ineffective—they're counterproductive. As we've found in other jurisdictions, Hawai'i's system of license and registration stoppers only makes it more difficult for people to pay their traffic and parking fines. The main reason for this is clear: revoking a person's ability to drive cuts out their primary mode of transportation to get to the job that will allow them to earn money to pay their ticket. This is especially true for residents in rural areas and on neighbor islands, where public transportation is generally less available. While restricted licenses may be granted, eligibility criteria are strict and do not include transportation outside of what is required to work, such as taking your child to the doctor. It is no wonder that the lack of legal ability to drive has been found to have a strong correlation to unemployment or underemployment.⁴

Finally, Part II seems incongruous with Part I and the original intent of the bill and we ask that Part II be removed in its entirety.

If the committee decides to move this bill forward, we hope it will do so with these requested amendments.

Mahalo for the opportunity to testify.

Sincerely,
Josh Frost
Josh Frost
Policy Assistant
ACLU of Hawai'i
jfrost@acluhawaii.org

With more than 4,000 Hawai'i-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.

⁴ See, e.g. Danielle Conley and Ariel Levinson-Waldman, *Discriminatory Driver's License Suspension Schemes*, American Constitution Society (March 2019). <https://www.acslaw.org/wp-content/uploads/2019/03/License-Suspension-Issue-Brief-Final.pdf>

SB-2146-HD-1

Submitted on: 3/24/2026 12:49:24 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Hawaii Health & Harm Reduction Center	Oppose	Written Testimony Only

Comments:

Chair Tarnas, Vice Chair Poepoe, and JHA Committee:

On behalf of Hawai'i Health & Harm Reduction Center (HHHRC), I am writing in ***strong opposition to Part II*** of SB 2146, SD 1, HD 1, which repeals the provisions of Act 59 (2020).

The re-implementation of license stoppers, including suspensions and revocations and potential arrest and incarceration for outstanding warrants, will disproportionately impact women from under-resourced households.

Many of these women are sole drivers of a household who hold multiple jobs while also attending to urgent duties like child care, elder care, and daily errands to maintain their household. As with far too many in this state, these women still do not have the requisite funds to make month-to-month expenses given persistently low wages and ever-increasing living expenses. Those who live in rural parts of the state are especially reliant on private vehicular transportation.

The foreseeable impact of stripping away licenses from these women and those similarly situated will foreseeably increase the number of drivers who are unlicensed and uninsured. The potential ramifications of outstanding bench warrants and potential incarceration for any length of time can be devastating for a household.

For this legislature to insert a poison pill provision into an otherwise palatable bill -- one that seeks some level of income-based equity in the issuance traffic fines -- that will tangibly worsen the conditions of those from low-income households is unwise, unwarranted, untoward, and rather malicious. This kind of maneuvering evinces a cavalier disdain for those with limited or no economic means. Unfortunately, this disdain is far too prevalent in this state and American society, particularly in the operation of criminal legal systems that stigmatize and criminalize poverty.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions, and have also been deeply impacted by trauma related to histories of physical, sexual, and psychological abuse.

Mahalo for the opportunity to provide testimony.

SB-2146-HD-1

Submitted on: 3/20/2026 2:40:01 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This is a huge invasion of privacy. Why should law enforcement have access to details of my personal finances?

Vote NO on this bill.

SB-2146-HD-1

Submitted on: 3/20/2026 8:17:04 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in **strong support** of SB2146, a two-part measure that would bring much-needed fairness and common sense to Hawai‘i's traffic fine system. Part I establishes a task force to study Finland's income-based traffic fines model, while Part II ends the practice of suspending driver's licenses for unpaid fines—a practice that punishes poverty rather than promoting safety.

Part I: A Fairer, More Effective Approach to Traffic Fines

Our current system of flat traffic fines is fundamentally inequitable. As Josh Frost of the ACLU of Hawai‘i recently testified, "If two people are speeding at the same rate, one makes half a million dollars a year, another one makes \$30,000 a year, that fine is going to have a much greater impact on the \$30,000 earner versus the half million dollar earner, even though they're paying the same thing."

This is not just a matter of fairness—it is a matter of effectiveness. Flat fines do not serve as meaningful deterrents for high-income earners, while they can impose devastating financial hardship on low-income residents. Finland has addressed this by implementing a tiered system where fines are calculated based on a person's daily income, multiplied by the severity of the violation. The result is a system where the penalty carries the same weight regardless of a person's income.

SB2146 establishes a task force to examine whether such a system could be implemented in Hawai‘i. This is a thoughtful, measured approach. The task force will study the Finnish model, consider its applicability to our state, and provide recommendations before the 2027 legislative session. This is not an immediate mandate—it is an invitation to explore a proven solution with input from experts and stakeholders.

Part II: Ending the Cycle of Poverty and License Suspension

The second part of SB2146 is equally important. It imposes a restriction on a person's ability to obtain or renew a driver's license or vehicle registration as a consequence of unpaid monetary obligations—but under certain circumstances that preserve due process and fairness. More critically, it repeals provisions that would have allowed courts to deny license clearance solely for failure to pay.

This is a crucial reform. Suspending driver's licenses for unpaid fines creates a vicious cycle: a person cannot pay a fine, loses their license, cannot drive to work, loses income, and becomes even less able to pay. This does not improve traffic safety—it simply punishes poverty.

Nationally, states are moving away from this practice. New Hampshire recently eliminated driver's license suspension for reasons unrelated to motor vehicle offenses, recognizing that suspending licenses for unpaid fines is counterproductive.

In Hawai'i, the consequences are even more acute. Our lack of affordable, robust public transit means that for many residents, a driver's license is not a privilege—it is a necessity for holding a job, getting to medical appointments, and caring for family. Taking away that license for failure to pay a fine does not make our roads safer; it makes poverty harder to escape.

The Time for Reform Is Now

2025 was one of the deadliest years on Hawai'i roads in decades. We need a comprehensive approach to traffic safety—one that includes fair and effective penalties, not punitive measures that exacerbate inequality. Eduardo Hernandez of the Hawai'i Bicycling League noted that Finland has seen success reducing traffic fatalities and serious injuries under its income-based fine system. We should study that success and consider how it might work here.

At the same time, we must stop using license suspension as a debt collection tool. The practice is ineffective, counterproductive, and cruel. SB2146 addresses both issues in a single, thoughtful bill.

Conclusion

SB2146 represents a shift toward a more equitable and effective traffic safety system. It asks us to study what works elsewhere and to stop doing what we already know does not work. I urge this committee to pass this bill and take these important steps toward fairness on our roads.

Mahalo for the opportunity to testify.

SB-2146-HD-1

Submitted on: 3/20/2026 8:55:08 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose those

This is the most ridiculous governmental overreach.

vote no

SB-2146-HD-1

Submitted on: 3/22/2026 9:01:21 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gary Mak	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB 2146 for the following reasons:

[1] This is a solution looking for a problem. Please see details in Appendix 1. Where is the Task Force with evidence that accident rates are income related?

[2] Why are we looking at laws from Finland? We should not be studying or importing laws from foreign countries based on their cultural preferences. Nordic European countries believe in "social equality" (including emphasizing humility and discouraging individualism) which is a cultural issue not a law enforcement issue.

[3] Hawaii legislative leadership has become increasingly "professional" over the years (a good thing). It would be a shame to signal to Hawaiians that our leaders are interested in adding laws with dubious merit, while wasting our precious civil service resources, and increasing law enforcement and administrative complexity.

Appendix 1

A simple google (<https://www.iihs.org/research-areas/fatality-statistics/detail/state-by-state>), would show this is a non-issue compared to other States and should be a low priority for our precious civil service resources. Although there has been a moderate increase in accidents in 2025, there is no evidence of a multi-year trend, AND no evidence that the accident rate is attributed to income.

A further AI search, shows the "high" death rate is mostly a neighboring island problem where incomes are significantly lower than Oahu, so the rationale of the task force is dubious at best.

AI Overview

While Hawaii historically has a lower number of total traffic fatalities compared to most states due to its small size, its highway death rate is increasingly alarming. As of late 2025, Hawaii was one of only six U.S. states with an increasing road fatality rate, hitting an 18-year peak with 106 deaths. In 2025, Hawaii's fatal rate surged, contrary to the national trend of decreasing road deaths.

Honolulu Civil Beat +2

Key 2025-2026 Trends & Data

Rapidly Rising Fatalities: In 2025, Hawaii saw a 25% increase in vehicle crash fatalities, the highest increase among all states.

VMT Rate Increase: Hawaii's fatal rate per 100 million Vehicle Miles Traveled (VMT) rose to 1.27 by late 2025, a sharp increase from 0.93 in 2024.

Comparison to National Trend: While national fatalities dropped by 12% in 2025, Hawaii's fatalities rose to 106, exceeding the 102 total in 2024.

Top Causes: Factors contributing to the spike include high levels of impairment (42% of fatalities), high speed, and a decrease in seatbelt usage.

High-Risk Groups: Hawaii has a high percentage of motorcyclist fatalities (28% in 2022).

CrashStats - NHTSA (.gov) +5

Historical Context

Historically, Hawaii was often ranked among the states with the fewest fatalities, such as in 2023 when it recorded 93 fatalities, placing it among the lowest in total numbers. However, the recent 2025-2026 data indicates a significant, negative shift in roadway safety.

Honolulu Civil Beat

County Breakdown (2017-2023 Average)

Hawaii County (Big Island): 12.1 deaths per 100,000 population.

Maui County: 9.4 deaths per 100,000 population.

Kauai County: 7.5 deaths per 100,000 population.

Honolulu County: 5.8 deaths per 100,000 population.

Hawaii Health Matters

SB-2146-HD-1

Submitted on: 3/22/2026 9:40:50 PM

Testimony for JHA on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure. I drive through town frequently and notice many homeless individuals wandering into the intersections against the traffic lights. Individuals, even the homeless, need to be held accountable for their actions, Do not change the current laws that govern the count down timers, we need enforcement of current laws. We are inching towards anarchy on the streets, laws lose their deterrence when not regularly enforced.