

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



EDWIN H. SNIFFEN  
DIRECTOR  
KA LUNA HO'OKELE

Deputy Directors  
Nā Hope Luna Ho'okele  
DREANALEE K. KALILI  
TAMMY L. LEE  
CURT T. OTAGURO  
ROBIN K. SHISHIDO

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

Tuesday, March 24, 2026  
9:00 AM  
State Capitol, 430

**SB2253, SD2**  
**RELATING TO HIGHWAY SAFETY**

House Committee on Transportation

---

The Department of Transportation (DOT) supports S.B. 2253, S.D. 2, which amends the offense of negligent injury in the first degree to include substantial bodily injury to vulnerable users caused by operating a vehicle negligently while under the influence of alcohol or drugs.

This bill addresses a critical gap in our current laws by expanding the definition of negligent injury in the first degree to specifically include injuries caused by intoxicated drivers. By doing so, it strengthens our ability to hold accountable those who choose to drive while impaired and cause harm to others, particularly vulnerable road users.

Impaired driving continues to be a significant threat to public safety on our roads. According to data from the National Highway Traffic Safety Administration, alcohol-impaired driving fatalities account for a substantial portion of traffic-related deaths in Hawaii. From 2020 through 2024, Hawaii's fatal crash data revealed an average of 34 impaired-driving-related fatalities annually, representing approximately 33 percent of all traffic deaths. This bill aligns with our ongoing efforts to reduce impaired driving and protect all road users, especially those most vulnerable such as pedestrians, cyclists, and other non-motorized travelers.

The DOT is committed to improving highway safety and protecting the lives of our community members and visitors. This legislation serves as an important step in changing behaviors and reinforcing the message that drinking and driving are incompatible activities. It complements our existing efforts to promote alternatives to impaired driving, such as using rideshare services, public transportation, or designating a sober driver.

By increasing the legal consequences for negligent injury caused by impaired driving, this bill sends a strong message about the seriousness of this offense and may serve as an additional deterrent. It also provides prosecutors with an important tool to seek appropriate justice for victims of impaired driving crashes. We believe that S.B. 2253, S.D. 2 will contribute significantly to our ongoing efforts to reduce impaired driving incidents and enhance road safety for all users in Hawaii.

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



## Testimony of the Oahu Metropolitan Planning Organization

### House Committee on Transportation

03/24/26 9:00 AM

CR 430 & Videoconference

SB2253 SD2

RELATING TO HIGHWAY SAFETY

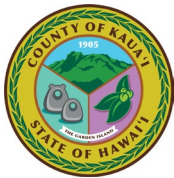
Dear Chair Kila, Vice Chair Miyake, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB2253 SD2** which amends the offense of negligent injury in the first degree to include injuries negligently inflicted by intoxicated drivers.

This bill supports our goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities increased over twenty (20) percent in Hawaii, and over sixty (60) percent on Oahu from 2024 to 2025. Nearly a [third of traffic deaths in Hawaii](#) are the result of impaired driving, where drivers have a Blood Alcohol Concentration of 0.08 or higher. This statistic puts Hawaii in the bottom quarter of all states with regard to impaired driving fatalities.

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.



**DEREK S.K. KAWAKAMI**, MAYOR  
**REIKO MATSUYAMA**, MANAGING DIRECTOR

# POLICE DEPARTMENT COUNTY OF KAUA'I



**RUDY TAI**, CHIEF OF POLICE  
**MARK T. OZAKI**, DEPUTY CHIEF OF POLICE

March 20, 2026

The Honorable Representative Darius K. Kila, Chair  
And Honorable Members of the Committee on Transportation  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**RE: Testimony in Support of Senate Bill 2253 SD2, Relating to Highway Safety**

Honorable Chair Kila, Vice Chair Miyake, and Members of the Committee:

On behalf of the Kaua'i Police Department, I am submitting testimony in **SUPPORT** of SB 2377 SD2, which amends the offense of negligent injury in the first degree to explicitly include injuries negligently inflicted by intoxicated drivers.

Current Hawai'i negligent injury statutes do not specifically include intoxication as an element when an impaired driver negligently causes substantial bodily injury to another person. In contrast, Hawai'i's negligent homicide statutes expressly address intoxicated drivers when a death results, recognizing the heightened culpability and public safety risk posed by impaired driving. SB 2253 SD2 closes this gap by aligning the statutes and ensuring consistent accountability when impaired driving causes injury, not just death.

The National Highway Traffic Safety Administration (NHTSA) reports more than 12,000 people were killed nationally in alcohol-impaired driving crashes in 2023, accounting for roughly 30% of all traffic fatalities in the United States that year. Hawai'i's alcohol-related fatality rate has exceeded the national average in recent years, according to a recent report by the Hawai'i Alcohol Policy Alliance, with at least 40% of traffic fatalities statewide from 2011–2022 involving alcohol. The impact is evident on Kaua'i as well. In 2024, Kaua'i recorded 201 DUI (Driving Under the Influence) arrests and 8 traffic fatalities, 4 of which involved impaired drivers. In 2025, there have been 133 DUI arrests and 8 traffic fatalities, 6 involving impaired drivers. These figures show that impaired driving remains a significant factor in serious and fatal crashes, underscoring the need to strengthen accountability and improve road safety.

For these reasons, I respectfully ask the Committee to **support SB 2253 SD2**. Thank you for the opportunity to testify.

Respectfully submitted,

Rudy Tai  
Chief of Police  
Kaua'i Police Department

**KELDEN B.A. WALTJEN**  
PROSECUTING ATTORNEY

**SHANNON M. KAGAWA**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



655 KILAUEA AVENUE  
HILO, HAWAII 96720  
PH: (808) 961-0466  
FAX: (808) 961-8908

74-675 KEALAKEHE PARKWAY  
KAILUA-KONA, HAWAII 96740  
PH: (808) 322-2552  
FAX: (808) 322-6584

64-1067 MAMALAHOA HIGHWAY, C-3  
KAMUELA, HAWAII 96743  
PH: (808) 887-3017  
FAX: (808) 887-3016

## OFFICE OF THE PROSECUTING ATTORNEY

### TESTIMONY IN SUPPORT OF SENATE BILL 2253, SENATE DRAFT 2

A BILL FOR AN ACT  
RELATING TO HIGHWAY SAFETY

COMMITTEE ON TRANSPORTATION  
Representative Darius K. Kila, Chair  
Representative Tyson K. Miyake, Vice Chair

Tuesday, March 24, 2026 at 9:00 a.m.  
Via Videoconference  
State Capitol Conference Room 430  
415 South Beretania Street

Honorable Chair Kila, Vice-Chair Miyake, and Members of the Committee on transportation: The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony **in support** of Senate Bill 2253, Senate Draft 2.

S.B. 2253, SD 2 would expand the existing class C felony offense of Negligent Injury in the First Degree under HRS 707-705 to include the negligent causation of substantial bodily injury to another person by the operation of a vehicle in a negligent manner while under the influence of alcohol or drugs. Substantial bodily injury is defined under HRS 707-700 as bodily injury which causes a major avulsion, laceration, or penetration of the skin; a burn of at least second degree severity; a bone fracture; a serious concussion; or a tearing, rupture, or corrosive damage to the esophagus, viscera, or other internal organs.

This offense will give prosecutors and police needed flexibility in bringing justice to offenders whose abuse of intoxicating alcohol or drugs injures unsuspecting victims in our communities. Intoxicated drivers pose a grave and ongoing threat to public safety in Hawai'i, and it is appropriate that intoxicated drivers should be held criminally responsible when their actions cause innocent people on our roadways to suffer substantial bodily injury. With ongoing public awareness campaigns and simple common sense, all drivers should be aware that using intoxicating alcohol or drugs and then getting behind the wheel of a motor vehicle poses a substantial and unjustifiable risk to everyone else on the roadways.

Importantly, the availability of felony-level probation for this class C felony offense can allow a court to impose and monitor appropriate interventions to stop and rehabilitate intoxicated drivers. The tragic results of intoxicated driving are no accident, and this bill will help give the justice system needed tools to deter and rehabilitate offenders who have harmed others.

As currently written, the state of mind requirement that a defendant acted negligently would apply to each of the elements of the offense, including that the defendant was under the influence of alcohol or drugs, as it does in the other variants of Negligent Injury in the First Degree.<sup>1</sup> The negligent state of mind is defined in HRS 702-206, and here would apply to any person who “should be aware of a substantial and unjustifiable risk,” where such risk “involves a gross deviation from the standard of care that a law-abiding person would observe in the same situation.” The negligent state of mind specified by the offense may also be satisfied where the defendant acted intentionally, knowingly, or recklessly.<sup>2</sup>

S.B. 2253, SD 2, incorporates amendments suggested by the Office of the Prosecuting Attorney for the County of Maui, aimed at strengthening the measure’s clarity and avoiding merger. We support these amendments as they are consistent with the intent of the bill.

S.B. 2253, SD 2, will help protect the public and promote public safety. Every life-altering crash caused by an intoxicated driver is preventable. This legislation will punish and deter intoxicated drivers who hurt innocent victims, while still offering a path toward rehabilitation and recovery.

For the foregoing reasons, the County of Hawai‘i, Office of the Prosecuting Attorney **supports** the passage of Senate Bill 2253, Senate Draft 2. Thank you for the opportunity to testify on this matter.

---

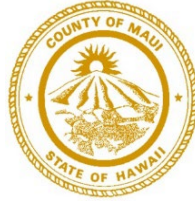
<sup>1</sup> See Pattern Jury Instructions—Criminal, Instr. 9.13 & 9.13A.

<sup>2</sup> HRS 702-208.

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAI'I 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON  
S.B. 2253 SD2  
RELATING TO HIGHWAY SAFETY

March 23, 2026

The Honorable Darius K. Kila  
Chair  
The Honorable Tyson K. Miyake  
Vice Chair  
and Members of the Committee on Transportation

Chair Kila, Vice Chair Miyake, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 2253 SD2, Relating to Highway Safety**. This bill supports the prosecution of intoxicated drivers by amending the offense of Negligent Injury in the First Degree in HRS §707-705 to include injuries negligently inflicted by intoxicated drivers.

We support this bill because it makes it clear that injuries negligently caused by intoxicated drivers are included in the scope of HRS §707-705. Prior to this bill, any injury defined as “substantial” (including bone fractures and major lacerations) caused by an intoxicated driver could only be prosecuted as a misdemeanor unless the person injured was a “vulnerable user” despite the well-known dangers of intoxicated driving and the substantial impact rib or limb fractures can have on a person. This bill allows intoxicated driving injuries to be treated as the serious offenses they are.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 2253 SD2**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.

**SB-2253-SD-2**

Submitted on: 3/23/2026 9:06:24 AM

Testimony for TRN on 3/24/2026 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chad K Taniguchi	Individual	Support	Written Testimony Only

Comments:

The hope is that increasing the penalties for injuring someone while driving irresponsibly impaired will change future drivers' behavior so they are more careful.

-----

I hope we get to the point where hitting someone in a crosswalk where speed and alcohol are NOT involved, is also considered for the same level of penalty. Not paying attention, being distracted, shows the same level of reckless disregard for human life while using a dangerous weapon as driving while intoxicated.