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February 1, 2026

**Senate Committee on Energy and Intergovernmental Affairs
Hearing Date: Thursday, February 5, 2026, 1 pm**

Honorable Chair Chang, Vice Chair Hashimoto, and Members of the Senate Committee on Intergovernmental Affairs

**Subject: SB 2378, Relating to Housing
Testimony in Strong Support**

Dear Chair Chang, Vice Chair Hashimoto, and Committee Members:

The American Council of Engineering Companies of Hawaii (ACECH) represents 68 member firms with over 2,000 employees throughout Hawaii. ACECH strongly supports this measure to clarify language related to insurance in Act 295, passed by the legislature in 2025.

After the passage of Act 295, Legislative Session of 2025, ACECH was alerted by professional liability insurance brokers that the new law inadvertently provides uninsurable conditions, as well as inaccurate citation regarding professional liability insurance. These concerns are likely to limit the design professionals willing to engage in the expedited permit process.

The proposed bill language corrects these concerns. Revising the language will encourage more design professionals to conduct this work and is in the State's interest.

Respectfully submitted,

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII

Charles Jury, P.E.
President

Feb. 5, 2026, 1 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Housing
Sen. Stanley Chang, Chair
Sen. Troy N. Hashimoto, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF SB2378 — RELATING TO HOUSING

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii **supports** [SB2378](#), which would clarify liability rules for professionals participating in the self-certification program established by Act 295 (2025).

Self-certification has the opportunity to streamline the permitting process for single-family and multifamily homes, because it allows licensed architects and engineers to sign off on their own permits if the county permitting agency does not approve them within a certain time frame.

Streamlining this process is critical because Hawaii suffers from chronic permitting delays, reported by the Economic Research Organization at the University of Hawai'i to have been 188 days for single-family homes and 410 for multifamily homes, on average, over the past five years.¹

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ Daniela Bond-Smith, Trey Gordner and Rachel Inafuku et al., "[The Hawaii Housing Factbook 2025](#)," Economic Research Organization at the University of Hawai'i, May 14, 2025, p. 27.



AKINAKA & ASSOCIATES, LTD.
Consulting Civil Engineers

LATE

Testimony of
Ken C. Kawahara

Before the Energy and Intergovernmental Affairs and
Housing Committees

Thursday, February 5, 2026
1:00 PM

State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813
Conference Room 225

In consideration of
SB2378
Establish procedures and requirements for single-family and multi-family housing projects to
apply for an expedited permit

Honorable Chair Glenn Wakai of the Energy and Intergovernmental Affairs and Honorable Chair Stanley Chang
of the Housing committees:

I respectfully testify in strong support of the consideration of SB2378 to establish procedures and
requirements for single-family and multi-family housing projects to apply for an expedited permit.

Thank you for the opportunity to testify,

A handwritten signature in black ink that reads "Ken C. Kawahara".

Ken C. Kawahara, P.E.



THE LIMTIACO CONSULTING GROUP
CIVIL ENGINEERING AND ENVIRONMENTAL CONSULTANTS

LATE

Senate Committee on Housing
Senate Committee on Energy and Intergovernmental Affairs

February 4, 2026

Hearing Date: Thursday, February 5, 2026, 1:00 p.m.

Honorable Senators Stanley Chang, Chair; Try N. Hashimoto, Vice Chair; and Members of the Senate Committee on Housing
Honorable Senators Glenn Wakai, Chair; Stanley Chang, Vice Chair; and Members of the Senate Committee on Energy and Intergovernmental Affairs

Subject: SB 2378, Relating to Housing
Testimony in Support

Dear Senators:

The Limtiaco Consulting Group (TLCG) is a local civil and environmental engineering firm and is proud to be voted one of Hawaii's Best Places to Work and is consistently one of the top engineering firms according to Pacific Business News. TLCG is an active member of the American Council of Engineering Companies of Hawaii and other professional engineering organizations. TLCG principals believe it is important to give back to the communities we serve through beneficial engineering projects and meaningful volunteerism.

TLCG supports SB 2378 because corrections contained in this bill that will encourage more local small business design professionals to participate in this important program.

After the passage of Act 295, Legislative Session of 2025, we were alerted by professional liability insurance brokers that the new law inadvertently provides uninsurable conditions, as well as inaccurate citation regarding professional liability insurance. These concerns limit our willingness to engage in the expedited permit process. Uninsurable terms are particularly scary for small businesses, which comprise the majority of engineering firms in the state.

I support the corrections contained in SB 2378 that will encourage more local small business design professionals, like ourselves, to participate in this important program.

Thank you for this opportunity to submit testimony. Please feel free to contact me if you have any questions.

Sincerely,
THE LIMTIACO CONSULTING GROUP, INC.

Kyle H. Kaneshiro, P.E.
Principal

Cindy Freitas

makainanqi@gmail.com

OPPOSE UNLESS AMENDED – S.B. 2378

RELATING TO EXPEDITED COUNTY PERMITTING / INSURANCE & INDEMNIFICATION

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I respectfully submit testimony **OPPOSING S.B. 2378 UNLESS AMENDED.**

S.B. 2378 expands expedited permitting by relying on **licensed professionals' certifications** and requiring insurance and indemnification in lieu of full county review. While efficiency is important, the bill **shifts approval authority and risk without adding essential public-safety, accountability, and transparency safeguards.**

WHAT IS MISSING FROM S.B. 2378

- **Independent county verification.** The bill allows certificates of occupancy based on professional certification without preserving county inspection authority for life-safety verification.
- **Clear limits on liability shifting.** Indemnification and insurance requirements lack caps, scope limits, and clarity on responsibility when defects arise outside professional negligence or after insurance lapses.
- **Insurance availability and cost analysis.** The bill mandates \$2,000,000 coverage through the statute of repose without assessing market availability or affordability for small, local professionals or providing tiered/waiver options.
- **Safety-based exceptions to expedited timelines.** There are no carve-outs allowing counties to pause expedited processing for complex projects or high-risk locations (e.g., flood, wildfire, coastal, or infrastructure-constrained areas).
- **Public notice and transparency.** The process provides no notice that a project is proceeding via expedited permit, nor public access to certifications and insurance documentation.
- **Appeals and enforcement mechanisms.** The bill lacks a clear appeal pathway for affected parties and specific enforcement consequences if certifications are inaccurate or misleading.

- **Risk-based differentiation.** The statute applies broadly without tiered standards by project size, density, location, or complexity.
- **Data reporting and evaluation.** There are no reporting requirements on expedited permits issued, defects, enforcement actions, or safety outcomes.
- **County opt-out or local standards.** Counties cannot adopt stricter standards or opt out based on staffing, safety, or infrastructure constraints.
- **Conflict-of-interest safeguards.** The bill does not require disclosures or protections when licensed professionals have financial interests in the projects they certify.

REQUIRED AMENDMENTS (OPPOSE UNLESS ADOPTED)

S.B. 2378 should not advance unless amended to:

1. Preserve **county inspection and verification authority** for life-safety prior to occupancy;
2. Define **clear limits and scope** for indemnification and liability;
3. Provide **tiered insurance standards** and address market availability;
4. Add **safety-based exceptions** to expedited timelines;
5. Require **public notice and disclosure** of expedited status and certifications;
6. Establish **appeals, enforcement, and penalties** for inaccurate certifications;
7. Implement **risk-based tiers** by project type and location;
8. Require **data reporting and program evaluation**;
9. Allow **county opt-out or stricter local standards**;
10. Add **conflict-of-interest disclosures and safeguards**.

CONCLUSION

Permitting efficiency should not come at the expense of **public safety, transparency, and accountability**. Without the safeguards above, S.B. 2378 shifts risk without adequate protections.

For these reasons, I **OPPOSE S.B. 2378 UNLESS AMENDED**.

Mahalo

Cindy Freitas

SB-2378

Submitted on: 2/3/2026 7:14:32 AM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry Support

2378 SB RELATING TO HOUSING.	HOU/EIG	CR 225 & Videoconference	Feb 5, 2026 1:00 PM
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SB-2378

Submitted on: 2/4/2026 4:33:35 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay M. K. Stone	Individual	Support	Remotely Via Zoom

Comments:

I am an employee-owner of a large business architect-engineering consulting firm on O‘ahu, focused on civil, mechanical, and electrical engineering; planning; landscape architecture; architecture; asset management; project management; and construction management for essential Hawai‘i infrastructure projects. This bill requires design professionals to carry professional and general liability insurance, but we have been cautioned by our insurance brokers that certain terms are not insurable. Uninsurable terms are particularly scary for large and small businesses. I support the corrections contained in this bill that will encourage more local business design professionals to participate in this important program.

LATE

SB-2378

Submitted on: 2/4/2026 4:41:20 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dayna E Nemoto-Shima	Individual	Support	Written Testimony Only

Comments:

I work for a local small business engineering firm. The original language this bill is correcting includes terms that are not insurable. I support the corrections in this bill that will encourage more local small business design professionals to participate in this program.

LATE

SB-2378

Submitted on: 2/4/2026 4:55:21 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Holman	Individual	Support	Written Testimony Only

Comments:

I'm President of a small engineering consulting firm on Oahu, focused on civil engineering for Hawai'i's essential airport projects. This bill requires design professionals to carry professional and general liability insurance, but we have been cautioned by our insurance broker that certain terms are not insurable. Uninsurable terms are very concerning for small businesses, which comprise the majority of engineering firms in the state. I support the corrections contained in this bill, which will encourage more local small business design professionals to participate in this important program.

LATE

SB-2378

Submitted on: 2/4/2026 5:01:28 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Takase	Individual	Support	Written Testimony Only

Comments:

I am the Vice President at Ronald N.S. Ho & Associates (Electrical Engineering) and we currently work on many single and multi-family projects throughout the State. I am in support of the modifications to the insurance policies in this bill as it would allow more companies to be insured and work on these types of projects that are needed in the State.

LATE

SB-2378

Submitted on: 2/4/2026 5:20:40 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Hayashi	Individual	Support	Written Testimony Only

Comments:

Dear Chair Chang, Vice Chair Hashimoto, and Committee Members:

I work for a local engineering firm in Honolulu that works on various State, County and private projects within the State of Hawai‘i. The language in Act 295, which was passed in the 2025 Legislative Session contained inadvertent language which caused certain uninsurable conditions. This results in significant risk to the companies participating in the expedited permit process.

I support the corrections to the original Act contained in this bill which will encourage more design professionals to participate in this important program.

Respectfully submitted,

Scott W. Hayashi

LATE

SB-2378

Submitted on: 2/4/2026 5:36:58 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ROBIN HIRANO	Individual	Support	Written Testimony Only

Comments:

As a licensed engineer in the State of Hawaii, I support the clarifications to Act 95 (2025) contained in this bill as it will encourage more local small business design professionals to participate in this important program.

LATE

SB-2378

Submitted on: 2/4/2026 10:27:32 PM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Marsters	Individual	Support	Written Testimony Only

Comments:

I own a small business consulting firm on Maui, focused on environmental and civil engineering for Hawai'i essential infrastructure projects. This bill requires design professionals to carry professional and general liability insurance, but we have been cautioned by our insurance brokers that certain terms are not insurable. Uninsurable terms are particularly scary for small businesses, which comprise the majority of engineering firms in the state. I support the corrections contained in this bill that will encourage more local small business design professionals to participate in this important program. Thank you for the opportunity to testify.

LATE

SB-2378

Submitted on: 2/5/2026 7:14:46 AM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheryl Nojima	Individual	Support	Written Testimony Only

Comments:

Feb 5, 2026

Dear Chair Evslin, Vice Chair Miyake, and Committee Members:

I strongly support this measure to clarify language related to insurance in Act 295, passed by the legislature in 2025.

After the passage of Act 295, Legislative Session of 2025, we found through our insurance brokers that this new law inadvertently provides uninsurable conditions, as well as inaccurate citation regarding professional liability insurance. These concerns are likely to limit the design professionals willing to engage in the expedited permit process.

Our proposed language corrects these concerns. Revising the language will encourage more design professionals to conduct this work and is in the State's interest.

Respectfully submitted,

Sheryl Nojima, PhD, PE
Gray Hong Nojima and Assoc., Inc.

LATE

SB-2378

Submitted on: 2/5/2026 8:52:15 AM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew K Unten	Individual	Support	Written Testimony Only

Comments:

Aloha, I am a part of a medium sized engineering firm here locally and I support the modifications to this bill. The original draft of this bill requires design professionals to carry professional and general liability insurance, but we have been cautioned by our insurance brokers that certain terms are not insurable. Uninsurable terms are particularly worrisome in that it would dissuade firms from partaking design projects and thus put this program in jeporday of being useful to the community. I support the corrections contained in this bill that will encourage more local business design professionals to participate in this important program.

Thank you for your consideration,

Kimo Unten

LATE

SB-2378

Submitted on: 2/5/2026 8:28:55 AM

Testimony for HOU on 2/5/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nimr Tamimi	Individual	Support	Written Testimony Only

Comments:

I represent an engineering and architectural consulting firm based on Hawai'i Island that works on public infrastructure projects throughout the state. This measure would require design professionals to carry both professional and general liability insurance; however, our insurance advisors have indicated that some of the conditions contemplated in the bill fall outside standard insurable coverage. Provisions that cannot be insured create practical challenges for firms participating in this program. I support the revisions included in this bill, as they will help make the requirements more reasonable and enable more local design professionals to take part in this important initiative.