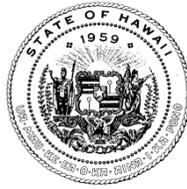


JOSH GREEN, M.D.  
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**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

Tuesday, February 17, 2026  
3:00 PM  
State Capitol, 229

**SB2697**  
**RELATING TO TRANSPORTATION**

Senate Committee on Transportation

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The Department of Transportation (DOT) is in strong support of S.B. 2697, which prohibits vehicles from driving on the shoulder of a roadway except in certain circumstances, authorizes impoundment and disposal of vehicles with long-expired registrations, increases fines for out-of-state vehicle registration violations, and establishes penalties for HOV lane violations.

This comprehensive bill addresses several critical traffic safety and compliance issues that the DOT has long been concerned about. Prohibiting driving on shoulder lanes except under specified conditions will enhance road safety by reducing the risk of accidents and ensuring emergency vehicles have clear access when needed.

The authorization to impound vehicles with registrations expired for three years or more, and to seize and dispose of those expired for five years or more, will help remove abandoned and derelict vehicles from our roads. This measure will improve both the aesthetics and safety of our highways while reducing the burden on law enforcement and transportation resources.

Increasing fines for owners of out-of-state vehicles who fail to register their vehicles in Hawaii will encourage compliance with our state laws and ensure all drivers contribute fairly to the maintenance of our road infrastructure.

Establishing clear minimum and maximum penalties for HOV lane violations will deter misuse of these lanes, improving their effectiveness in reducing traffic congestion and promoting carpooling.

The DOT believes these measures will collectively contribute to safer, more efficient roadways and improved traffic management across the state. We appreciate the Legislature's attention to these important transportation issues.

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



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2697, RELATING TO TRANSPORTATION.

**BEFORE THE:**

SENATE COMMITTEE ON TRANSPORTATION

**DATE:** Tuesday, February 17, 2026      **TIME:** 3:00 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Michael J.S. Moriyama, Deputy Attorney General

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Chair Inouye and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

This bill prohibits vehicles from driving on the shoulder of a roadway, except in certain circumstances, and authorizes the Department of Transportation and county police departments to impound or seize vehicles with expired registrations of three years or more.

Section 1 of the bill amends chapter 291C, Hawaii Revised Statutes (HRS), by adding two new sections, first to prohibit the use of shoulder lanes and second to enforce expired vehicle registrations. Subsection (a) of the second new section on page 2, line 2, through page 3, line 7, authorizes the Department of Transportation and county police departments to impound a vehicle with an expired registration of three years or more or seize a vehicle with an expired registration of five years or more when the vehicle is parked on a public roadway or in a commercial parking lot that is open to the public. The bill also allows the owner to redeem the impounded or seized vehicle. The bill authorizes a seized vehicle to be disposed of if not redeemed by the owner. If no valid ownership of a seized vehicle is proven, then the bill requires fifteen-day public notice prior to disposal.

The Department is concerned, first, that the bill does not require registration status to be verified by the Department of Transportation or the county departments of

finance prior to impoundment or seizure. An expired registration sticker (emblem) may not mean that the vehicle has not been registered for three or five years or more or is not currently registered. Second, the bill does not specify exactly how a vehicle is to be impounded or seized in that it does not specify whether the vehicle is to be towed, who is to do the towing, where the vehicle will be stored, and whether there is any limit on the cost of storage and other charges incident to the impoundment or seizure. Third, the bill raises constitutional issues because it does not provide specific procedures for notifying a vehicle owner that a vehicle has been impounded or seized, including who has the duty to provide notice, and what the owner must do to redeem and recover the impounded or seized vehicle. Fourth, the bill does not provide for disposing of an impounded vehicle if no owner redeems it. Fifth, the bill allows a seized vehicle to be disposed of in the same manner as when a vehicle is put up for public auction and for which no bid is received. However, it is unclear how the auction is to be conducted, who conducts the auction, what notice is to be provided prior to auction, and what specific statute, regulation or ordinance establishes the manner in which the vehicle is to be disposed of when no bid is received. Sixth, for a seized vehicle, it is unclear what "no valid ownership" means. It is also unclear whether the "fifteen-day notice" means notice must be published for fifteen days or whether a single notice must be published at least fifteen days prior to disposal of a seized vehicle.

To address these issues, the Department recommends amending the second new section proposed to be added to chapter 291C, HRS, in section 1 of the bill, on page 2, line 2, through page 3, line 19, by amending subsections (a) through (c) to read as follows (stricken material to be deleted from the bill; new material is underscored):

(a) Notwithstanding any law to the contrary, after verifying the registration status of a vehicle, the department of transportation and the county police departments may[:

- ~~(1) For a vehicle with an expired registration of three years or more that is parked on a public roadway or in a commercial parking lot that is open to the public, impound the vehicle, during which time the vehicle shall be subject to redemption by its owner by payment of an updated registration, together with any penalties incurred and the cost of storage and other charges incident to the impoundment of the vehicle; and~~

- ~~(2) For a vehicle with an expired registration of five years or more that is parked on a public roadway or in a commercial parking lot that is open to the public, seize and dispose of the vehicle, during which time the vehicle shall be subject to redemption by its owner by payment of an updated registration, together with any penalties incurred and the cost of storage and other charges incident to the seizure of the vehicle. If the owner of the vehicle fails to redeem the vehicle within ten days after seizure, the vehicle shall be disposed of in the same manner as when a vehicle is put up for public auction and for which no bid is received; provided that if no valid ownership is proven, a fifteen-day notice shall be made available to the public prior to the disposal of the vehicle.]~~

impound a vehicle that is parked on a public roadway or in a commercial parking lot that is open to the public and cause the vehicle to be towed subject to section 290-11(b) to (i) when, prior to towing the vehicle, the department of transportation or a county department of finance has verified that the vehicle is not currently registered and has not been registered for the three previous consecutive years or more.

~~(b) [A law enforcement officer may use a traffic stop for the purpose of verifying the registration status of a vehicle in the enforcement of subsection (a)]~~  
The owner of the vehicle may redeem the vehicle by registering the vehicle prior to recovering the vehicle under section 290-11 and shall present the vehicle's current registration when recovering the vehicle.

~~(c) [Enforcement of this section shall not apply to vehicles on private property that is not open for public use.]~~  
The owner of the vehicle shall not be liable for any towing or storage charges under section 290-11 if the vehicle was improperly impounded or towed and shall be allowed to recover the vehicle upon presenting the vehicle's current registration without payment to the towing company. The towing company shall allow a vehicle owner to enter the vehicle to obtain the vehicle's current registration certificate to establish ownership.

We have no recommended changes to subsections (d) and (e).

We respectfully ask the Committee to pass this bill with the recommended amendments.

Thank you for the opportunity to provide comments on this bill.



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

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

**Senate Committee on Transportation**  
Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

Tuesday, February 17, 2026 at 3:00 p.m.  
State Capitol, Conference Room 229 & Videoconference

By

Michelle Acosta  
Deputy Chief Court Administrator, Hawai'i State Judiciary

**WRITTEN TESTIMONY**

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**Bill No. and Title:** Senate Bill No. 2697, Relating to Transportation.

**Purpose:** Prohibits vehicles from driving on the shoulder of a roadway, except in certain circumstances. Authorizes the Department of Transportation and county police departments to impound vehicles with expired registrations of three years or more and seize and dispose of vehicles with expired registrations of five years or more, under certain conditions. Requires an annual report to the Legislature. Increases the fine amount for owners of out-of-state motor vehicles who fail to register the vehicle in the State. Establishes minimum and maximum statutory penalties for violations relating to the use of high occupancy vehicle lanes.

**Judiciary's Position:**

The Judiciary provides the following comments. As currently written, the measure would take effect immediately upon approval. The Judiciary respectfully requests that the effective date be set no earlier than July 1, 2027. This additional time is critical to ensure proper implementation by the courts which would include necessary updates to the Judiciary Information Management System (JIMS) and to the traffic payment system, and the adjustment of operational resources to account for a possible increase to the traffic court calendar.

Thank you for the opportunity to testify on Senate Bill 2697.

Law Office of Georgette A. Yaindl, LLLC  
Georgette Anne Yaindl 8940  
P.O. Box 307  
Kailua-Kona Hawai`i 96745-0307  
(808) 224-0219 v/txt (877) 300-8869 fax  
gyaindl@gyattorney.com

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Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair  
Committee on Transportation  
The Senate  
33<sup>rd</sup> Legislature, State of Hawai`i

via: <http://www.capitol.hawaii.gov>

Dear Committee leadership and members,

Re: **COMMENTS ON SB2010 RELATING TO MOTOR VEHICLES**

DATE: February 17, 2026 TIME: 3:00 PM

PLACE: Conference Room 229 & Videoconference

This bill proposes some amendments to chapter 291C, our Statewide Traffic Code.

Section 1 “shoulder lanes” would prohibit “vehicles” from being driven on the shoulder. However, “‘Vehicle’ means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway or highway, *including mopeds and bicycles*”, HRS § 291C-1 (emphasis added). Unfortunately, transportation by bicycle often requires use of the shoulders. “Passenger cars,” as defined at HRS § 286-2, meets the mark of the presumed intent of this proposed amendment.

Section 1 “expired registration” subsection (a) contemplates impoundment of vehicles based on aged, expired registrations, but fails to provide for an expenditure of State funds to the counties who will be obligated to perform the work. Subsection (b) is unnecessary because it is a statement on existing “traffic stop” law because there is no privacy interest in a license plate. Subsection (d) authorizes rule making by the state DOT and county police departments but county police departments do not have rulemaking authority

Mahalo for your attention the matter of derelict passenger cars and scofflaw passenger car owners. Aloha `āina.

Thank you for your consideration of this testimony.

Sincerely,

/s/ Georgette A. Yaindl  
GEORGETTE ANNE YAINDL

**SB-2697**

Submitted on: 2/13/2026 10:26:11 PM

Testimony for TRS on 2/17/2026 3:00:00 PM

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

Comments:

I, Johnnie-Mae L. Perry, STRONGLY SUPPORT

2697 SB RELATING TO TRANSPORTATION

I INVITE YOU TO START WITH WAI'ANAE VALLEY HOMESTEAD, IN GENERAL ALL  
HOMESTEAD SUBDIVISIONS!

To: Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair  
Committee on Transportation

From: Veronica Moore, Individual Citizen

Date: February 16, 2026

RE: Senate Bill 2697  
Measure Title: RELATING TO TRANSPORTATION.  
Report Title: DOT; Counties; Motor Vehicles; Shoulder Lanes; Registration;  
Expired Registration; Enforcement; Penalties; Out-of-state Motor Vehicles; High  
Occupancy Vehicle Lanes; Violations; Fines

To All Concerned,

My name is Veronica Moore and I support Senate Bill 2697. Thank you for introducing this bill.

Sincerely,

Veronica M. Moore