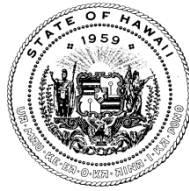


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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

**SB2812, SD1
RELATING TO TRANSPORTATION SAFETY**

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) supports S.B. 2812, S.D. 1, relating to driver licensing examination requirements for pedestrian and bicyclist safety awareness and for repeat offenders of excessive speeding and habitual driving under the influence.

S.B. 2812, S.D. 1 amends Hawaii Revised Statutes to require driver license applicants to be tested on the dangers that larger vehicles pose to pedestrians and bicyclists. Additionally, the measure mandates that individuals convicted of excessive speeding or habitual driving under the influence (DUI) must pass a driver's license examination following each such offense, as ordered by the court.

The HDOT is primarily concerned with improving highway safety and protecting the lives of our community members and visitors. Pedestrians and bicyclists represent some of our most vulnerable road users, and ensuring that all drivers are educated about the unique dangers that larger vehicles pose to these users is a meaningful and necessary step toward reducing fatalities and serious injuries on Hawaii's roadways.

From 2020 through 2024, there were 131 pedestrian fatalities and 424 serious injuries statewide using preliminary 2024 data. Pedestrians aged 17 and younger or aged 65 and older were involved in 37 percent of pedestrian fatalities and 34 percent of

pedestrian serious injuries. Overall, pedestrians accounted for 27 percent of all traffic fatalities and 16 percent of all serious injuries during this period. Larger vehicles, including trucks and SUVs, present heightened dangers to pedestrians and bicyclists due to factors such as increased blind spots, longer stopping distances, and the severity of injuries caused upon impact. Incorporating this critical safety awareness into the driver licensing examination will help ensure that all new drivers are better equipped to share the road responsibly with our most vulnerable users.

With respect to the provisions addressing excessive speeding and habitual DUI offenders, the HDOT strongly supports requiring these individuals to pass a driver's license examination following each offense. According to preliminary 2023 state data, 57 percent of Hawaii's traffic fatalities were speed-related. Additionally, in 2021, Hawaii experienced 28 alcohol-impaired driving fatalities, all of which were 100 percent preventable. Requiring repeat offenders to demonstrate renewed knowledge of traffic laws and safe driving practices before returning to the road is a common-sense safeguard that can help deter continued dangerous behavior and reduce the likelihood of repeat offenses that harm innocent members of our community.

Incorporating targeted driver re-examination as a consequence of court-ordered findings for excessive speeding or habitual DUI reinforces the message that driving is a privilege that requires demonstrated competence and responsibility. This approach aligns with the State's Vision Zero goal of eliminating traffic fatalities and serious injuries, and complements existing enforcement, engineering, and educational efforts that the HDOT and its partners continue to advance.

The HDOT respectfully urges the Committee to pass this measure.

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



Testimony of the Oahu Metropolitan Planning Organization

House Committee on Transportation

March 24, 2026 9:00AM

Conference Room 430 & Videoconference

SB2812 SD1

Relating to Transportation Safety

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

The Oahu Metropolitan Planning Organization (OahuMPO) **supports SB2812 SD1**, which requires the testing of driver license applicants on the dangers that larger motor vehicles present to pedestrians and bicyclists. It would also require those who commit the offense of excessively speeding or habitually driving while intoxicated to pass the driver's license examination for each offense.

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. As the bill states, vehicles with taller hood heights involved in a crash may result in a greater chance of serious injury or death upon impact as it is closer to the head or torso compared with lower vehicles. Researchers with the [Insurance Institute for Highway Safety](#) studied data for nearly 18,000 pedestrian crashes and found that vehicles with a hood height greater than 40 inches are 45% more likely to cause fatalities than shorter vehicles with a hood height of 30 inches or less.

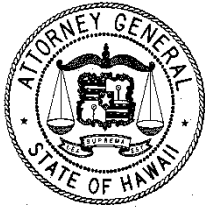
Safety expert and author of [Right of Way: Race, Class, and the Silent Epidemic of Pedestrian Deaths in America](#), Angie Schmitt, who was a guest speaker at OahuMPO's Transportation Forum in January, highlighted the risk of large hood heights in her presentation. She shared that the front ends of some of the best-selling cars in the United States (full-size pickups, which we also see here in Hawaii) are as high as 55 inches. She explained that this produces huge forward blind zones that are especially dangerous to children, who are some of our most vulnerable users. They are smaller and less visible to drivers, have less developed hazard perception skills, and may act unpredictably in traffic situations.

Furthermore, 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. Thus, reexamination puts further protocols in place to prevent potentially dangerous drivers

from immediately returning to the roadways while ensuring they are aware of the rules and laws to operate a vehicle safely.

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.



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

ON THE FOLLOWING MEASURE:

S.B. NO. 2812, S.D. 1, RELATING TO TRANSPORTATION SAFETY.

BEFORE THE:

HOUSE COMMITTEE ON TRANSPORTATION

DATE: Tuesday, March 24, 2026

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 430

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

Chair Kila and Members of the Committee:

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

The purpose of this bill is to require the examiner of drivers to test driver license applicants on knowledge of the dangers that larger motor vehicles pose to pedestrians and bicyclists and to require the courts to order drivers who commit the offense of excessive speeding or habitually operating a vehicle while intoxicated, to pass a driver's license examination within a specified time period.

The Department is concerned that the addition of section 291E-61.5(h), at page 14, lines 9-13, in requiring courts to order drivers convicted of habitually operating a vehicle while intoxicated to obtain, within a certain time period, a new driver's license, creates a legal inconsistency with current law that mandates that drivers convicted of habitually driving while *highly* intoxicated have their driver's licenses *permanently* revoked under section 291E-61.5(d)(2)(A), HRS.

The Department is also concerned that the addition of section 291C-105(e), at page 9, lines 16-19, creates an ambiguity that appears to require courts to order drivers convicted of excessive speeding to obtain a new driver's license, rather than requiring those convicted drivers to pass a driver's license examination only if the driver chooses to re-apply for a driver's license. Pursuant to section 286-108, HRS, applicants for driver's licenses must pass an examination. Once an applicant passes the examination demonstrating the ability to operate a certain category of vehicle, under section 286-

109, HRS, the examiner then issues a driver's license. The current draft of the bill appears to mandate that drivers convicted of excessive speeding must obtain a driver's license within the time period prescribed by the court, and that should be clarified to apply only to those who chose to apply for a driver's license.

The Department recommends that drivers convicted of driving at excessive speeds or habitually operating a vehicle while intoxicated be required to pass a driver's license examination pursuant to section 286-108, HRS, only if and when those drivers apply for a new driver's license.

The Department recommends that section 291C-105(e), on page 9, lines 16 through 19, be amended as follows (stricken material to be deleted):

"(e) In addition to any penalties imposed by this section, ~~[the court shall order that any person who violates this section pass a driver's license examination as provided in section 286-108 in the manner and within the time ordered by the court.]~~ any person who violates this section and applies for a driver's license anytime thereafter shall be required to pass a driver's license examination as provided in section 286-108."

The Department also recommends that section 291E-61.5(h), on page 14, lines 9 through 13, be amended as follows (stricken material to be deleted):

"(h) In addition to any penalties imposed by this section, ~~[the court shall order that any person who violates this section pass a driver's license examination as provided in section 286-108 in the manner and within the time ordered by the court.]~~ or imposed by the court at sentencing, any person who violates this section and applies for a driver's license anytime thereafter shall be required to pass a driver's license examination as provided in section 286-108."

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

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

SB-2812-SD-1

Submitted on: 3/20/2026 1:49:17 PM

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

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

Comments:

I, Johnnie-Mae L. Perry, Support

2812 SB RELATING TO TRANSPORTATION SAFETY.

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PUBLIC DEFENDER

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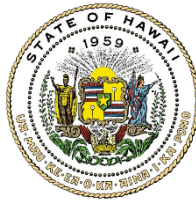
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March 22, 2026

SB 2812, SD1: RELATING TO TRANSPORTATION SAFETY

Chair Kila, Vice-Chair Miyake, and Members of the Committee on Transportation:

The Office of the Public Defender (OPD) **opposes** SB 2812 SD1 as to the portion of the bill that would require any person convicted of Excessive Speeding under HRS § 291C-105 to pass a driver's license examination as a mandatory additional penalty.

The Mandatory Retesting Requirement Is Overbroad and Unnecessary:

Excessive Speeding under HRS § 291C-105 already carries significant mandatory penalties. As reflected in the bill, even a first offense is punishable by a fine up to \$1000, prompt license suspension, mandatory driver education, and either community service or jail time. Repeat offenses result in enhanced penalties, including longer suspensions and mandatory jail terms.

The existing statutory framework already reflects a serious legislative response to excessive speed offenses. Adding a blanket, mandatory requirement that every defendant retake and pass the entire driver's license examination, regardless of the circumstances of the offense, does not meaningfully enhance public safety. Instead, it creates an additional administrative and financial barrier to license reinstatement.

Excessive Speeding can occur in a wide range of factual scenarios. The current statutory definition includes:

- Driving 30 mph or more over the posted limit; **or**
- Driving 80 mph or more regardless of the posted limit.

While some cases undoubtedly reflect dangerous conduct, others may involve momentary lapses of judgment rather than a fundamental lack of knowledge of traffic laws. A mandatory retest presumes that the underlying issue is a knowledge deficit. In many instances, that is not the case.

Judicial Discretion Is the More Appropriate Approach

If the Legislature believes retesting may be appropriate in certain cases, OPD respectfully proposes an amendment to allow judicial discretion rather than imposing a categorical requirement.

For example:

“The court may, in its discretion, order the defendant to successfully complete a driver’s license examination if the court finds that such testing is necessary to promote public safety.”

Judges are in the best position to assess:

- The specific facts of the offense;
- The defendant’s prior driving record;
- Whether the conduct reflects recklessness versus lack of knowledge; and
- Whether retesting meaningfully addresses the underlying behavior.

Providing discretion preserves public safety while avoiding unnecessary administrative burdens in cases where retesting serves no rehabilitative purpose.

Alternatively, Limit the Requirement to Subsequent Offenses

At a minimum, if a retesting provision is retained, OPD strongly recommends that it be limited to second or subsequent offenses within five years, consistent with the existing enhancement structure in HRS § 291C-105.

A first offense already triggers license suspension and driver retraining. Adding mandatory retesting at that stage is cumulative and disproportionate. Limiting it to repeat offenders would better align the penalty with escalating culpability.

The OVUII Provision Is Unnecessary

Although OPD’s testimony is focused on the Excessive Speed portion, we note briefly that the bill similarly requires persons convicted under HRS § 291E-61.5 (habitually operating a vehicle under the influence) to retake the examination.

This requirement is redundant. Individuals convicted of OVUII offenses already face mandatory license revocation for significant periods. Under existing law,

once the revocation period is complete, individuals must reapply for licensure and comply with examiner requirements (including both the written and road test) before a new license is granted. An additional statutory mandate to retake the driver's examination is unnecessary because the revocation structure already ensures that the person must requalify before driving privileges are restored.

For these reasons, the Office of the Public Defender **opposes** SB 2812 SD1.

Thank you for the opportunity to comment on this measure.

To: Representative Darius K. Kila, Chair
Representative Tyson K. Miyake, Vice Chair
Committee on Transportation

From: Veronica Moore, Individual Citizen

Date: March 23, 2026

RE: Senate Bill 2812 SD1
Measure Title: RELATING TO TRANSPORTATION SAFETY.
Report Title: Driver's License; License Examination; Excessive Speeding; DUI;
Penalties

To All Concerned,

My name is Veronica Moore and I support Senate Bill 2812 SD1. Your consideration is appreciated. Thank you.

Sincerely,

Veronica M. Moore

SB-2812-SD-1

Submitted on: 3/23/2026 9:38:52 AM

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

Submitted By	Organization	Testifier Position	Testify
Chad K Taniguchi	Individual	Support	Written Testimony Only

Comments:

Strong support.

Please consider the needs of police, prosecutors, and agencies needing more resources to implement these measures.

In addition, good government requires those working in government to maximize the efficiency of human resources so that those unmotivated to work purposefully are trained to work and perform the needs of the agency. It can be done! In any case, don't let efficiency problems impede the need to improve safety. Fix those problems through good supervisors who are respected and are morally able to ask for better performance. It can be done!

Thank you:)

Everyone has the [right to be safe](#) on Hawaii's roads.

Kamehameha's [Law of the Splintered Paddle](#)1797, Hawaii
Constitution1978