

SB-2851-SD-1

Submitted on: 2/24/2026 6:11:59 PM

Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	Written Testimony Only

Comments:

This is a good idea. It will potentially avoid confusion and confusion which could lead to dire consequences. It would be easy for a law enforcement officer to mistake a deaf person's lack of understanding for non compliance.

DEPARTMENT OF CUSTOMER SERVICES
KA 'OIHANA LAWELawe KUPA
CITY AND COUNTY OF HONOLULU

ADMINISTRATION

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February 27, 2026

The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
and Members of the Senate Committee on Judiciary
State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

SUBJECT: S.B. No. 2851, S.D. 1 - Relating To Deaf Individuals
HEARING: Tuesday, March 3, 2026, 10:15 a.m.

The City and County of Honolulu, Department of Customer Services (CSD) respectfully offers **comments** to S.B. No. 2851, S.D. 1 for your committee's consideration. Pursuant to Section 6-402 of the Revised Charter of the City and County of Honolulu, CSD Division of Motor Vehicles (DMV) administers the motor vehicle registration program for the island of O'ahu.

While CSD supports the intent of the proposed legislation, there are anticipated operational impacts associated with instituting and administering a new process to add a designation bearing the international symbol for deafness or a numerical code designating deafness to the motor vehicle registration for a vehicle owned by a deaf individual:

- **Statewide Coordination of Data and Systems Integration:** Instituting and administering a new process to add a deafness designation to a motor vehicle registration will require database sharing and close coordination across all counties statewide, the State Department of Transportation, and the Honolulu Department of Information Technology to support eligibility determinations and enforcement, and to ensure consistent standards, procedures, and public

communications. Implementation will require updates to staff training, public information materials, application forms, and supporting technology systems to ensure consistent statewide administration.

- **Customer Service Considerations:** Instituting and administering a new process to add a deafness designation to a motor vehicle registration would also introduce additional complexity in the appointment scheduling process and at customer service windows, resulting in increased processing times and the potential for customer confusion.

CSD DMV will require sufficient time to fully implement the proposed legislation. Implementation will require system modifications, coordination with the State Department of Transportation and all county motor vehicle registration offices, updates to forms and internal procedures, staff training, public outreach, and the securing of necessary funding and information technology resources.

Given the scope of administrative and technical work required, CSD respectfully recommends an effective date of **January 1, 2028**, to allow adequate time for proper planning, system development, testing, and statewide coordination to ensure consistent and effective implementation.

Thank you for this opportunity to provide testimony on S.B. No. 2851, S.D. 1.

Sincerely,

for Kimberly M. Hashiro
Director



DISABILITY AND COMMUNICATION ACCESS BOARD

Ka 'Oihana Ho'oka'a'ike no ka Po'e Kīnānā

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
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March 3, 2026

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY

Senate Bill 2851 Senate Draft 1 – Relating to Deaf Individuals

The Disability and Communication Access Board (DCAB) supports Senate Bill 2851 Senate Draft 1 – Relating to Deaf Individuals. It authorizes deaf motor vehicle owners to register their vehicle as being owned by a deaf individual so that a deafness designation appears when a law enforcement officer accesses the motor vehicle's information. It is effective 1/1/2027.

People who are deaf or hard of hearing sometimes encounter miscommunication or misunderstanding interacting with law enforcement. While notations on identification cards or specialty information cards are useful in certain transactions, the act of reaching into a pocket to retrieve a card can be misinterpreted by law enforcement. Providing the motor vehicle information before the interaction begins is therefore a valuable option to offer people who have a hearing disability.

Thank you for the opportunity to testify.

Respectfully submitted,

KRISTINE PAGANO
Acting Executive Director

SB-2851-SD-1

Submitted on: 2/25/2026 7:57:00 AM

Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Amaro	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB 2851 SD1, which would allow motor vehicle owners who are deaf to have the option to add a special code or symbol to their car registration indicating that they are deaf.

When involved in a traffic stop, it is vitally important for the person to have effective communication with a law enforcement officer, so that both sides can be understood. Often, a traffic stop is a challenging environment for a person who is deaf to navigate, as it can be noisy and they may not have clear line of sight to attempt to lipread the officer if that option is possible. An officer may feel the individual is being uncooperative, when in reality the person being stopped simply doesn't understand what's being asked.

In today's environment, it is extremely important for there to be effective communication between law enforcement and the public.

Please support this important legislation which will increase safety for all involved.

Mahalo,

Beth Amaro, Līhu'e, Kauai

SB-2851-SD-1

Submitted on: 2/25/2026 7:00:38 PM

Testimony for JDC on 3/3/2026 10:15:00 AM

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

Comments:

I, Johnnie-Mae L. Perry, Support

2851 SB RELATING TO DEAF INDIVIDUALS.

PETER L. FRITZ

T-MOBILE RELAY: (808) 586-0077

EMAIL: PLFLEGIS@FRITZHQ.COM

To: Senate Committee on Judiciary

RE: Testimony in Support of SB 2851 SD1, Relating to Deaf Individuals
and Proposed Amendments

Hearing: March 3, 2026

Chair, Vice Chair, and Members of the Committee:

I am Peter Fritz. I am hard of hearing, an attorney, an advocate for the disabled, and a former member of the Disability and Communication Access Board and the State Rehabilitation Advisory Committee. My professional experience and personal background allow me to provide this perspective.

I am submitting **testimony in support of SB 2851 SD1 and proposing two amendments** to the bill. This bill proposes adding a designation on vehicle registrations to notify law enforcement officers that the driver is deaf or hard of hearing. This designation would be visible only to law enforcement officers when they check the vehicle registration information. The intention of this proposal is to prevent misunderstandings between law enforcement officers and drivers during traffic stops.

The first amendment is that Section 2, subsection (d) be amended to change the decibel threshold from eighty-two decibels to forty-one decibels, so that individuals who are hard of hearing and who face the same communication barriers during traffic stops are also eligible for the designation. **The second amendment** is that Section 2, subsection (d)(2), which permits deafness to be demonstrated by presenting a copy of the individual's most recent filed income tax forms, be deleted in its entirety.

After reading about a bill passed by the New Jersey Legislature in a New Jersey Bar publication, I provided the Deaf Blind Task Force with information regarding that bill. The Legislative Reference Bureau (LRB) then drafted a bill based on the New Jersey legislation, but changed the decibel level from the level specified in that bill. I am concerned about this change.

As an individual who is hard of hearing, I find it difficult to understand the instructions of an officer when there is significant background noise, such as the sound of traffic. The noise in these environments interferes with my ability to hear and understand verbal commands. If an officer is unaware of my hearing status, my failure to respond or my attempts to communicate may be misinterpreted as noncompliance. The proposed designation allows officers to be informed of my hearing status, which reduces the likelihood of such misunderstandings.

The current language of SB 2851 SD1 limits the definition of “deaf” to individuals with a hearing loss at or above 82 decibels. This definition is limited in scope because it excludes individuals who are hard of hearing and who face similar communication barriers during interactions with law enforcement in noisy environments. I recommend that the bill be amended to include a “person with a hearing loss of a pure tone average of 41 decibels or greater,” which is the standard in the New Jersey bill and which was adopted by the House in the companion bill, HB 1993 HD1. A related amendment would be to change “deaf” to “deaf or hard of hearing.”

Additionally, I recommend that the provision in Section 2, subsection (d)(2) regarding the use of income tax forms to verify a hearing disability be deleted from the bill. I believe that the certification requirements for obtaining a disabled parking permit are more appropriate for verifying a hearing disability. This amendment was also adopted by the House in HB 1993 HD1.

Thank you for the opportunity to testify.

SB-2851-SD-1

Submitted on: 3/1/2026 12:08:31 PM

Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexis Hand	Individual	Support	Written Testimony Only

Comments:

Date: March 1st, 2026

To: Senate Committee of Judiciary including:

Karl Rhoads, Chair

Mike Gabbard, Vice Chair

Members of Senate Judiciary Committee

From: Alexis Hand

Position: SUPPORT

Hearing Date: 3/3/2026

Re: SB2851 SD1

I am testifying in support of SB 2851 SD1 to ensure law enforcement is aware of an individual's deafness before beginning to communicate by implementing the international symbol for deafness to individual's motor vehicle registration who are certified as impaired by deafness.. Currently, if a law enforcement officer is unaware that an individual is deaf, they could mistake a driver's appearing to be confused or lack of response to questioning as

noncompliance, potentially creating an unsafe situation for the individual who is deaf. The act of reaching for pen and paper could be misidentified as reaching for a weapon. The attempt to use American Sign Language can be viewed as active noncompliance when one removes their hands from the wheel to communicate. What would you do if you were deaf and needed to tell an officer something, while being unable to understand all or most of what they were saying?

When an officer sees that a driver is deaf while completing an electronic check of the motor vehicle's registration, they will then approach the vehicle to communicate with the knowledge that communication will need to take a different shape. This identification will prevent miscommunications and potentially unsafe situations that could arise if noncompliance is assumed. The Hearing Loss Association of America states that one in seven people in the U.S. have some degree of hearing loss.

The intersectionality of deafness with persons who are black, indigenous, or people of color can increase the risk of an individual being interpreted as a threat by a law enforcement officer. Law enforcement needs to have some way to know an individual is deaf so they do not make the mistake of using inappropriate force, wrongful arrest, or causing a death. Working with the deaf community to establish the definition of deafness as described by the decibel range is important as their insight can guide this process in being the most effective for the population it will serve. Factoring in other noise in the area that could decrease one's ability to hear beyond a measure of deafness will be an inclusivity factor in this definition.

If implementing this process of adding a deafness designation to motor vehicle electronic records is not feasible, working to find another way to visually designate a driver as deaf to an approaching police officer is imperative for the safety of individuals with a deafness impairment as well as the officer. This process can be voluntary for individuals who are certified as deaf.

Thank you for the opportunity to provide testimony in support of SB2851 SD1. This form of identification will help to ensure safer interactions between law enforcement and drivers who are deaf. It will prevent miscommunications during routine traffic stops.

Alexis Hand

Individual

Written Testimony Only

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