



DISABILITY AND COMMUNICATION ACCESS BOARD

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

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March 19, 2026

TESTIMONY TO THE HOUSE COMMITTEE ON TRANSPORTATION

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 provides a safer encounter and effective communication between the driver with a hearing disability and law enforcement.

People with moderate hearing loss can find it difficult to understand speech in a loud and noisy environment, such as on the side of a road. DCAB requests the bill be amended to include the moderate range of hearing loss at 41 decibels, A.S.A. or worse to qualify and delete the reference to tax forms as follows:

SECTION 2. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows:

"§286- Deaf owner; registration. (a) Upon application by a motor vehicle owner who is deaf, the director of finance of the county where the vehicle is to be operated shall add a designation to the registration of the motor vehicle bearing the international symbol for deafness or a numerical code designating deafness.

(b) The deafness designation shall appear when a law enforcement officer accesses the motor vehicle's information and shall be used to alert the law enforcement officer that the owner of the motor vehicle is deaf.

(c) Except as provided by subsection (b), the director of finance of the county where the vehicle is to be operated shall restrict access to the vehicle owner's deafness designation, as required by law.

(d) For the purposes of this section, "deaf" means a person whose average loss in the speech frequencies (500-2000 Hertz) in the better ear is ~~eighty-two~~ forty-one decibels, A.S.A., or worse. The impairment of deafness shall be certified by a qualified otolaryngologist or an audiologist licensed under chapter 468E. [;

(1) Certified by a qualified otolaryngologist or an audiologist licensed under chapter 468E; or

(2) Demonstrated by presenting a copy of the individual's most recent filed income tax forms as referenced in the definition of the term "deaf" under section 235-1.]

Thank you for the opportunity to testify.

Respectfully submitted,



KRISTINE PAGANO
Acting Executive Director

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

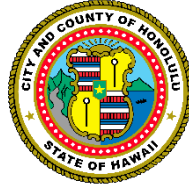
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March 17, 2026

The Honorable Darius K. Kila, Chair
The Honorable Tyson K. Miyake, Vice Chair
and Members of the House Committee on Transportation
State Capitol, Conference Room 430
415 South Beretania Street
Honolulu, Hawaii 96813

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

SUBJECT: S.B. No. 2851, S.D. 1 - Relating To Deaf Individuals
HEARING: Thursday, March 19, 2026, 8:30 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

SB-2851-SD-1

Submitted on: 3/16/2026 4:39:48 PM

Testimony for TRN on 3/19/2026 8:30:00 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

PETER L. FRITZ

T-Mobile Relay: (808) 586-0077

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To: House Committee on Transportation

Hearing Date: Thursday, March 19, 2026, 8:30 a.m.

RE: Testimony in Support of SB 2851 SD1, Relating to Deaf Individuals, with Recommended Amendments

Chair, Vice Chair, and Members of the Committee:

I am Peter Fritz. I am hard of hearing, an attorney, an advocate for persons with disabilities, and a former member of the Disability and Communication Access Board and the State Rehabilitation Advisory Committee. **I testify in support of S.B. 2851, S.D. 1. I recommend two amendments to align this bill with H.B. 1993, H.D. 1, as amended by this Committee on February 12, 2026.**

As a person who is hard of hearing, I have direct experience with the communication barriers that arise during a traffic stop. Road noise and passing vehicles interfere with my ability to hear and understand verbal commands. An officer who is unaware of my hearing status may misread my failure to respond, or my use of gestures, as noncompliance. This bill addresses that risk. I support its passage.

Recommended Amendment No. 1: Lower the Decibel Threshold to 41 dB

As written, S.B. 2851 S.D. 1 defines "deaf" as an average hearing loss in the speech frequencies of 82 decibels or worse. This threshold is too restrictive. It excludes individuals who are hard of hearing and who face the same communication barriers during law enforcement encounters in noisy environments.

This bill was modeled after legislation in New Jersey. The New Jersey legislation set the threshold at a pure tone average of 41 decibels or greater. That standard covers not only profoundly deaf individuals but also those with moderate to severe hearing loss who face equal risk of miscommunication with law enforcement. When the Legislative Reference Bureau drafted the bill, the decibel level was changed from the New Jersey standard.

This Committee addressed the same issue when it amended H.B. 1993. In Stand. Com. Rep. No. 436-26, adopted on February 12, 2026, the Committee clarified the definition of "deaf" by adopting the 41 decibel standard. I request this Committee to apply the same amendment to S.B. 2851 S.D. 1 to align the two companion bills.

Recommended Amendment No. 2: Delete the Income Tax Verification Option

S.B. 2851 S.D. 1 permits an individual to demonstrate deafness by presenting a copy of their most recent income tax forms, as referenced under Hawaii Revised Statutes Section 235-1. Income tax filings are sensitive financial documents. Their use as verification for a motor vehicle registration designation is inconsistent with how other disability-related designations are verified in Hawaii.

Verification by a qualified otolaryngologist or a licensed audiologist under chapter 468E is the appropriate standard. It is clinically grounded and consistent with how Hawaii verifies other hearing-related accommodations. This Committee removed the income tax provision from H.B. 1993 H.D. 1. I recommend the same amendment here.

Implementation

The City and County of Honolulu Department of Customer Services submitted comments on H.B. 1993 noting the need for statewide coordination across county DMVs, the State Department of Transportation, and county information technology systems. This Committee responded by inserting a flexible, unspecified start date into H.B. 1993 H.D. 1 to allow adequate time for agency preparation. I recommend that S.B. 2851 S.D. 1 include a similar provision.

S.B. 2851 S.D. 1 will improve safety for deaf and hard-of-hearing drivers and for law enforcement officers. With the amendments recommended above, it will also be consistent with H.B. 1993 H.D. 1 as amended by this Committee. I request the Committee to pass it with those amendments.

Thank you for the opportunity to testify.

Peter L. Fritz

Attorney at Law

Former Member, Disability and Communication Access Board

Former Member, State Rehabilitation Advisory Committee

March 19, 2026

Testimony of Eleanor Macdonald
House Committee on Transportation

Honorable Representative Darius K. Kila, Chair
Honorable Representative Tyson K. Miyake, Vice Chair

Re: SB 2851, SD1 Relating to Deaf Individuals

Dear Chair Rep. Darius K. Kila, Rep. Tyson K. Miyake, Vice Chair and Members,

I would like to strongly support SB 2851, SD1 to allow motor vehicle owners who are deaf to add a special code or symbol to their car registration indicating that they are deaf. I would also like to amend this bill to include individuals who are hard of hearing who *choose or elect* to receive a special code or symbol on their car registration indicating that they are hard of hearing.

When involved in a traffic stop, communication with a law enforcement officer can be difficult because of environmental noise making it confusing to follow instructions and comply with what the police officer is saying. An officer may think that they are not following orders or being non-compliant if the driver is deaf or hard of hearing and simply didn't understand what is being said. This inaccurate communication may have dangerous results when a traffic stop occurs at night or places with poor lighting. *A driver may try to use her/his hands for American Sign Language and the police officer may consider these movements a threat.* Some of these consequences can be life threatening considering the conduct of ICE agents today.

Please pass this important bill effective 1/1/2027.

Mahalo,

Eleanor Macdonald, M.Ed., CRC (ret.)

SB-2851-SD-1

Submitted on: 3/18/2026 11:49:05 AM

Testimony for TRN on 3/19/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Shimizu	Individual	Support	Written Testimony Only

Comments:

Malaki 18, 2026

Dearest Honorables Representatives Kila (Chair), Miyake (Vice Chair), and Members Cochran, Evslin, Nakada Grandinetti, Kitagawa, La Chica, Muraoka, and Pierick of House Committee on Transportation (TRN):

Aloha, I am typing to you all today to express my support for SB 2851 relating to Deaf individuals, which authorizes Deaf motor vehicle owners to register their vehicle as being owned by a Deaf individual and printed in their vehicle registration. This is to ensure the safety of the Deaf driver, since when stopped by police on the roads, most police do not know how to interact with Deaf people and can be deathly in situations as police carry firearms. Ideally, I and many other Deaf people prefer to have “Deaf” printed on our State and/or Driver’s License due to having a hard-copy of proof instead of accessing a system that the general public does not have. However, this is the first step, so I hope you all pass this legislation.

Sincerely,
sherry Shimizu