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**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION**
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

July 2, 2020

10:00 a.m.

State Capitol, Auditorium

LATE

**H.B. 1676, H.D. 1, S.D. 1
RELATING TO HIGHWAY SAFETY.**

Senate Committee(s) on Judiciary and Ways and Means

The Department of Transportation **supports** the intent of H.B. 1676, H.D. 1, S.D. 1 that establishes a red-light imaging detector system pilot program and would appreciate the inclusion of language recommended in S.B. 2994 by the Red-Light Running Committee which was formed through Act 131(19).

We recommend the following changes as reflected in the attached draft bill:

- Additional data and examples were added to the introduction/preamble to clearly show why the legislature is enacting this law.
- Added language throughout to clarify that the state or county may establish and oversee the program and will engage a third-party contractor to install, operate and maintain the red-light imaging detector system.
- Only the photo of the vehicle's license plate will be required by statute (best practice for license plate only systems).
- Clarified that "Owner" or "Registered owner" has the same meaning as used in section 286-2.
- Following the completion of a minimum two-year pilot program in Honolulu, other counties may implement a red-light camera system.
- The City & County of Honolulu may implement a pilot program at State and county intersections to be selected between Red Hill/airport to Makapuu (police districts 1, 5, 6 and 7).

- An engineering review and study for each intersection will be conducted by the State and/or county prior to installing cameras and necessary and appropriate engineering, design, and traffic control signal timing measures shall be implemented.
- Prior to installation of a red-light camera a baseline study of each intersection being considered shall be conducted over a minimum of one week to see an average number of red light violations.
- Public education and information program shall be conducted at least 60 days before cameras are operational for ticketing at each intersection.
- Warning notices only, not citations, will be sent out for the first 30 days of a red-light imaging detector becoming operational at any given intersection.
- A police department employee shall review the tickets before they are sent out by the contractor to make sure the photographic or digital image clearly shows the license plate.
- The statute will only require a certificate sworn by the police department to establish the validity of the photographs or digital images and equipment. The prosecutor may also call live witnesses to testify, or the court may order it, but the sworn certificate shall be sufficient for the statute.
- The registered owner may respond by written statement to defend against the ticket.
- Rental car companies and lessors will be responsible for the fine as registered owners. The companies and lessors may pursue reimbursement from the renter/lessee.
- In addition to the citation not being recorded on the traffic abstract, language was added to clarify that the citation "shall not be used for insurance purposes in the provision of motor vehicle insurance coverage."
- In Part III, added Section 291C-32(d), Hawaii Revised Statutes, to define red light camera traffic control signal violations.
- Fines collected for a violation of section 291C-32(d) shall be deposited into the photo red light imaging detector system program special fund.
- All personal/confidential information shall remain confidential and shall be used only used for the purposes for which the information was furnished.

- The fine for unauthorized disclosure of confidential information from the red-light camera program was raised to \$500 (similar to a petty misdemeanor).
- Language was changed to clarify that the notice of violation shall be mailed via first class no later than 10 calendar days after the violation occurred.
- An annual report shall be issued by the State and county to the legislature reporting on results of the pilot program and recommendations for improvement.
- New appropriation section references state highway fund and/or federal funds.
- Appropriated for the City and County of Honolulu and the Prosecuting Attorney.
- The effective date should be upon approval so the state and county can begin procurement and establishing the pilot program. The actual operation of cameras will most likely not occur until after January 1, 2021.

Thank you for the opportunity to provide testimony.

A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII

PART I

SECTION 1. The legislature finds that the prevalence of drivers violating Hawaii's traffic laws has become intolerable, particularly drivers who run red lights. From 2015 to 2019, county police throughout Hawaii issued 20,885 red light violations to motorists, for disregarding a red light traffic signal. These violations endanger the lives of motorists and pedestrians, bicyclists and other vulnerable road users. Between 2014 to 2018, a total of 1,312 intersection crashes occurred in Hawaii as a result of red light and other traffic signal violations; some involved serious injuries or deaths. National studies have shown that more than half of those injured and killed in red light crashes are innocent people obeying the law, not the offending driver. Red light running violations compound the already hazardous conditions on Hawaii's roads and highways. It has become increasingly common to hear reports of hit-and-run drivers who have struck children or the elderly. Disregarding traffic signals has also been the common

denominator in many recent, highly-publicized motor vehicle crashes that have claimed a number of lives.

The legislature further finds that in other jurisdictions in the United States, Canada, Europe, and other countries throughout the world, photo red light imaging detector systems have proven reliable, efficient, and effective in identifying and deterring those who run red lights. In New York City, for example, the average daily number of red light running violations issued at each camera location has declined by over 75 percent since inception of the red light camera program more than 25 years ago. Moreover, right angle crashes at signalized intersections have declined by 71 percent citywide, from an average of 7,221 to 2,084 annually, and severe injuries from such crashes have declined by over 83 percent, from 633 to 103 annually.

Photo red light imaging detector systems are safe, quick, cost-effective, and efficient. No traffic stop is involved, and a police officer is not at risk from passing traffic or armed violators. With photo red light imaging detector systems, a camera is positioned at intersections where red light violations and collisions are most frequent, and serves as a twenty-four-hour deterrent to running a red light. When a motor vehicle enters the intersection against a red light, the camera takes a telephoto color picture of the rear of the car, capturing the

license plate. A second wide-angle photograph takes in the entire intersection, including other traffic.

These systems provide numerous benefits. Not only are streets safer, but police officers are also freed from the time-consuming duties of traffic enforcement and have more time to respond to priority calls. A violator is less likely to go to court because the color photograph of the violation, imprinted with the time, date, and location of the violation, and the amount of time the light had been red before the violator entered the intersection can be used as evidence in court. Few cases are contested in other jurisdictions using this system, and officers make fewer court appearances, saving court costs. In New York City, approximately 5% of tickets were contested during the first five years of the program's start. Today, 27 years later, less than 2% of tickets are contested.

The system may also result in lower insurance costs for safe drivers through an overall reduction in crashes and injuries and by placing much of the system costs on the violators who have created the need for the program, less on law-abiding taxpayers. Traffic laws are impartially enforced, and safety and efficiency are increased by reducing the number of chases and personnel required for traffic collision clean-up, investigation, and court testimony.

The legislature further finds that the photo speed imaging detector system created by Act 234, Session Laws of Hawaii 1998, and implemented in January 2002, generated intense public opposition. As a result of this opposition, the legislature repealed Act 234 in its entirety. However, the majority of the opposition to this program resulted from the method by which the program was implemented. The public perceived that the program was operated more to maximize revenue for the vendor running the program than to improve traffic safety. In particular, vans in which the cameras were mounted were often placed at locations that did not necessarily have a history of speed-related collisions and instead were used to monitor locations with heavy traffic flow at lower speeds. This permitted the vendor to issue the maximum number of citations in the shortest period of time and at the least cost, thereby maximizing the potential return to the vendor without improving traffic safety.

The legislature further finds that Act 131, Session Laws of Hawaii 2019, created the red light running committee, whose purpose was to "develop policy recommendations for red light running programs in the city and county of Honolulu, and the counties of Maui, Kauai, and Hawaii." After examining the red light running programs of Washington, Illinois, New York, and Florida, the red light running committee found that red light photo enforcement programs are a promising tool that, when

implemented properly, can save lives and reduce injuries by changing drivers' behaviors and lead to safer driving habits. Based on their findings, the red light running committee made a number of policy recommendations, which are reflected in this Act.

The purpose of this Act is to:

(1) Establish a photo red light imaging detector systems program to improve enforcement of the traffic signal laws;

(2) Allow the photo red light imaging detector systems program to be implemented in the counties of Hawaii, Maui, Kauai, and the city and county of Honolulu;

(3) Authorize the deposit of fines collected under county programs into a special fund; and

(4) Authorize the expenditure of funds from this special fund by the department of transportation in the county in which the fine was collected for the establishment, operation, management, and maintenance of the photo red light imaging detector systems program.

PART II

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

PHOTO RED LIGHT IMAGING DETECTOR SYSTEMS

§ -1 **Definitions.** As used in this chapter, unless the context otherwise requires:

"County" means the counties of Hawaii, Kauai, and Maui, and the city and county of Honolulu.

"County highway" has the same meaning as used in section 264-1.

"Department" means the department of transportation.

"Motor vehicle" has the same meaning as defined in section 291C-1.

"Photo red light imaging detector" means a device used for traffic enforcement that includes a vehicle sensor that works in conjunction with a traffic-control signal and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of the motor vehicle, and the motor vehicle's license plate, at the time the motor vehicle fails to stop when facing a steady red traffic-control signal in violation of section 291C-32(d).

"Owner" or "registered owner" has the same meaning as used in section 286-2.

"State highway" has the same meaning as used in section 264-1.

"Traffic-control signal" has the same meaning as defined in section 291C-1.

§ -2 **Photo red light imaging detector systems program; established.** There is established the photo red light imaging detector systems program to enforce the traffic-control signal laws of the State, which may be implemented by the State or any county following completion of a pilot program in the city and county of Honolulu, on any state or county highways within the respective county. Nothing in this chapter shall be deemed to supersede or override any provision of chapter 291D.

§ -3 **Pilot program.** (a) There is established the photo red light imaging detector systems pilot program to enforce the traffic-control signal laws of the State, which may be implemented by the city and county of Honolulu, in the major arterial zones on state or county highways, within that area in the city and county of Honolulu established as Honolulu Police Department Districts 1, 5, 6 and 7, as they existed on July 1, 2020. The pilot project shall operate for a minimum of two years, starting from the time the cameras become operational and summons or citations are first issued.

§ -4 **County powers and duties.** (a) The State or any county may establish and implement, in accordance with this chapter, a photo red light imaging detector system imposing monetary liability on the registered owner of a motor vehicle, for failure of the motor vehicle to comply with traffic-control signal laws. The State or county may provide for the

procurement, location, and oversight of a photo red light imaging detector system, and may provide for the installation, operation, maintenance, and repair of a photo red light imaging detector system through a third party contractor. Where the photo red light imaging detector system affects state property, the department shall cooperate with and assist the county as needed to install, maintain, and repair the photo red light imaging detector system established pursuant to this chapter.

(b) If the State or any county establishes a red light imaging detector system under this chapter, the compensation paid by the State or county to a manufacturer or vendor of the equipment used shall be based upon the value of the equipment and services provided or rendered in support of the photo red light imaging detector system, and shall not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(c) Prior to the installation and operation of any photo red light imaging detector system, the State or county shall conduct a comprehensive engineering review and study of each intersection considered for enforcement via the photo red light imaging detector system and shall implement all necessary and appropriate engineering, design, and traffic-control-signal timing measures. In addition, for each intersection considered for enforcement via the photo red light imaging detector system,

prior to the installation and operation of any photo red light imaging detector system, and prior to the installation of any signs or other official traffic-control devices indicating that the intersection is being considered for a photo red light imaging detector system, the State or county shall conduct a study to acquire a baseline average of the number of motor vehicles violating Section 291C-32(d), Hawaii Revised Statutes, over a period of not less than one week.

(d) At least sixty days prior to the photo red light imaging detector systems becoming operational, the department, in conjunction with any county that implements a photo red light imaging detector systems program pursuant to this chapter, shall conduct a comprehensive informational and educational campaign to inform motorists and the general public about the program.

(e) For the first thirty days of a photo red light imaging detector becoming operational at a particular traffic signal, warnings shall be issued for any violation of section 291C-32(d), Hawaii Revised Statutes, arising from that traffic Signal rather than summons or citations pursuant to section -6, and such warning shall be mailed to the registered owner of the motor vehicle at the address on record as the vehicle licensing division.

§ -5 Photo red light imaging detector system requirements. (a) Photo red light imaging detector equipment

may be operated from a fixed pole, post, or other fixed structure on a state or county highway.

(b) Signs and other official traffic-control devices indicating that traffic signal laws are enforced by a photo red light imaging detector system shall be posted on major routes entering the area in question to provide, as far as practicable, notice to drivers of the existence and operation of the system.

(c) Proof of violation of section 291C-32(d) shall be as evidenced by information obtained from the photo red light imaging detector system authorized pursuant to this chapter. A certificate, sworn to or affirmed by the reviewing police department, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by the system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images evidencing a violation shall be available for inspection in any proceeding to adjudicate the liability for that violation.

(d) The conditions specified in this section shall not apply when the information gathered is used for highway safety research or to issue warning citations not involving a fine or court appearance.

§ -6 Summons or citations. (a) Notwithstanding any law to the contrary, whenever any motor vehicle is determined, by

means of a photo red light imaging detector system, to have disregarded a steady red signal in violation of section 291C-32(d), the State or county's third party contractor shall cause a summons or citation, as described in this section, to be sent by first class mail, which is postmarked within ten calendar days after the date of the incident, to the registered owner of the motor vehicle at the address on record at the vehicle licensing division. If the end of the ten calendar day period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day that is not a Saturday, Sunday, or holiday.

(b) The form and content of the summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed to include all necessary information to make the summons or citation valid within the laws of the State; provided that any summons or citation pursuant to the photo red light imaging detector systems program shall contain a clear and unobstructed photographic, digital, or other visual image of the motor vehicle's license plate, which shall be used as evidence of the violation.

(c) Every summons or citation shall be consecutively numbered and each copy thereof shall bear the number of its respective original.

(d) Prior to the mailing of the summons or citation for traffic infraction pursuant to subsection (a), the applicable county police department shall review and verify the validity of the clear and unobstructed photographic, digital, or other visual image of the license plate of the motor vehicle required under section -6(b).

(e) Upon receipt of the summons or citation, the registered owner shall respond as provided for in chapter 291D. A record of the mailing of the summons or citations prepared in the ordinary course of business is prima facie evidence of notification. The registered owner shall be determined by the identification of the motor vehicle's license plate.

§ -7 Registered owner's responsibility for a summons or citation. (a) In any proceeding for a violation of this chapter, the information contained in the summons or citation mailed in accordance with section -6 shall be deemed prima facie evidence that a violation of section 291C-32(d) occurred. If the registered owner does not rebut the evidence presented in this subsection by presenting one or more of the

defenses listed in subsection (b), the registered owner shall be strictly liable for a violation of section 291C-32(d).

(b) The registered owner of the motor vehicle may present evidence to rebut the evidence in subsection (a) by any one of the following:

(1) Submitting a written statement as provided in section 291D-6(b)(2);

(2) Testifying in open court under oath that the person named in the summons or citation was not the registered owner of the motor vehicle at the time of the alleged violation;

(3) Calling witnesses to testify in open court under oath that the person named in the citation or summons was not the registered owner of the vehicle at the time of the alleged violation;

(4) Submitting evidence that the motor vehicle passed through the intersection when the traffic light was red in order to yield the right-of-way to an emergency vehicle;

(5) Submitting evidence that the motor vehicle was part of a funeral procession escorted by the police;

(6) Presenting, prior to the return date established on the citation or summons issued pursuant to this chapter, a letter of verification of loss from the police department indicating that the motor vehicle or the motor vehicle's license

plate had been reported stolen, to the court adjudicating the alleged violation; or

(7) Submitting evidence that the motor vehicle passed through the intersection at the direction of a law enforcement officer.

§ -8 Failure to comply with summons or citation. If the registered owner of the motor vehicle does not return an answer in response to a summons or citation within a period of thirty days from the date of the mailing of the summons or citation, the district court shall issue, pursuant to section 291D-7(e), a notice of entry of judgment of default to the registered owner of the motor vehicle.

§ -9 Liability for rental or U-drive vehicle. Notwithstanding any law to the contrary, any registered owner of record who is the lessor of a rental or U-drive motor vehicle, including those defined in section 286-2, Hawaii Revised Statutes, shall be liable for any summons or citation issued pursuant to this chapter. Such registered owners shall not be precluded from pursuing reimbursement from any applicable renter or lessee.

§ -10 Penalty. (a) The penalties for all consequences of a violation for disregarding a steady red signal initiated by the use of a photo red light imaging detector system shall be as provided in section 291C-161.

(b) Any summons or citations issued, or convictions resulting, from this chapter, shall not be recorded on a person's traffic abstract, and shall not be used for insurance purposes in the provision of motor vehicle insurance coverage.

§ -11 Fines for unauthorized disclosure. All personal and confidential information made available by the photo red light imaging detector systems, to an officer, employee or agent of the State or any county, including third party contractors, shall be kept confidential and shall be used only for the purposes for which the information was furnished. Any officer, employee, or agent of the State or any county, including third party contractors, who intentionally discloses or provides a copy of personal and confidential information obtained from a photo red light imaging detector system to any person or agency without authorization shall be fined not more than \$500; provided that the fine shall not preclude the application of penalties or fines otherwise provided for by law.

§ -12 Photo red light imaging detector systems program special fund established. (a) There is established a photo red light imaging detector systems special fund to be administered by the department, into which shall be paid revenues collected pursuant to this chapter.

(b) All fines collected under this chapter shall be deposited into the photo red light imaging detector systems

program special fund. Moneys in the fund shall be expended by the department in the county in which the fine was imposed, for purposes that include the establishment, implementation, operation, oversight, repair and maintenance of a photo red light imaging detector system.

§ -13 Rules. The department shall adopt rules pursuant to chapter 91, as may be necessary to implement this chapter."

PART III

SECTION 3. Section 291C-32, Hawaii Revised Statutes, is amended by adding a new subsection (d) to read as follows:

(d) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, and such traffic-control signals are being actively monitored by an official photo red light imaging detector system, all registered owners, of all motor vehicles in vehicular traffic at that intersection, shall be held strictly liable for their motor vehicle's compliance with such traffic-control signals, solely to the extent that registered owners may be cited and held accountable for non-compliance via civil traffic infractions pursuant to chapter . The lights shall apply to such registered owners and their motor vehicles as follows:

(1) Steady red indication:

(A) Vehicular traffic facing a steady red signal
alone shall stop at a clearly marked stop line,
but if none, before entering the crosswalk on the
near side of the intersection or, if none, then
before entering the intersection and shall remain
standing until an indication to proceed is shown,
except as provided in the next succeeding
paragraphs.

(B) Vehicular traffic which is stopped in obedience
to a steady red indication may make a right turn
but shall yield the right-of-way to pedestrians
and other traffic proceeding as directed by the
signal at said intersection, except that counties
by ordinance may prohibit any such right turn
against a steady red indication, which ordinance
shall be effective when a sign is erected at such
intersection giving notice thereof.

(C) Vehicular traffic on a one-way street which
intersects another one-way street on which
traffic moves to the left shall stop in obedience
to a steady red indication but may then make a
left turn into said one-way street, but shall
yield right-of-way to pedestrians, proceeding as
directed by the signal at said intersection

except that counties by ordinance may prohibit any such left turn as above described which ordinance shall be effective when a sign is erected at such intersection giving notice thereof.

(2) To the extent a registered owner's motor vehicle fails to comply with any other law or ordinance related to the subject traffic-control signals, other than subsection (d)(1) above, the registered owner of a motor vehicle shall not be held strictly liable unless otherwise provided by law.

SECTION 4. Section 291C-161, Hawaii Revised Statutes, is amended to read as follows:

"§291C-161 Penalties[-]; photo red light imaging detector system fines. (a) It [~~is~~] shall be a violation for any person to violate any of the provisions of this chapter, except as otherwise specified in subsections (c) and (d) and unless the violation is by other law of this State declared to be a felony, misdemeanor, or petty misdemeanor.

(b) Except as provided in subsections (c) and (d), every person who is determined to have violated any provision of this chapter for which another penalty is not provided shall be fined:

(1) Not more than \$200 for a first violation thereof;

(2) Not more than \$300 for a second violation committed within one year after the date of the first violation; and

(3) Not more than \$500 for a third or subsequent violation committed within one year after the date of the first violation.

(c) Every person convicted under or found in violation of section 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-15, 291C-16, 291C-72, 291C-73, 291C-95, 291C-102, 291C-103, 291C-104, or 291C-105 shall be sentenced or fined in accordance with those sections.

(d) Every person who violates section 291C-13 or 291C-18 shall:

(1) Be fined not more than \$200 or imprisoned not more than ten days for a first conviction thereof;

(2) Be fined not more than \$300 or imprisoned not more than twenty days or both for conviction of a second offense committed within one year after the date of the first offense; and

(3) Be fined not more than \$500 or imprisoned not more than six months or both for conviction of a third or subsequent offense committed within one year after the date of the first offense.

(e) The court may assess a sum not to exceed \$50 for the cost of issuing a penal summons upon any person who fails to

appear at the place within the time specified in the citation issued to the person for any traffic violation.

(f) Fines collected for a violation of section 291C-32(d) pursuant to the photo red light imaging detector system established pursuant to chapter _____ shall be deposited into the photo red light imaging detector systems program special fund established under section _____ -12 and shall be expended in the county in which the fine was imposed, for purposes that include the establishment, operation, management, and maintenance of a photo red light imaging detector system.

~~[(f)]~~ (g) The court may require a person who violates any of the provisions of this chapter to attend a course of instruction in driver retraining as deemed appropriate by the court, in addition to any other penalties imposed."

SECTION 5. Section 291C-163, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) This chapter shall not be deemed to prevent counties with respect to streets and highways under their jurisdiction from:

(1) Regulating or prohibiting stopping, standing, or parking except as provided in section 291C-111;

(2) Regulating traffic by means of police officers or official traffic-control devices;

(3) Regulating or prohibiting processions or assemblages on the highways;

(4) Designating particular highways or roadways for use by traffic moving in one direction;

(5) Establishing speed limits for vehicles in public parks;

(6) Designating any highway as a through highway or designating any intersection as a stop or yield intersection;

(7) Restricting the use of highways;

(8) Regulating the operation and equipment of and requiring the registration and inspection of bicycles, including the requirement of a registration fee;

(9) Regulating or prohibiting the turning of vehicles or specified types of vehicles;

(10) Altering or establishing speed limits;

(11) Requiring written accident reports;

(12) Designating no-passing zones;

(13) Prohibiting or regulating the use of controlled-access roadways by any class or kind of traffic;

(14) Prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;

(15) Establishing minimum speed limits;

(16) Designating hazardous railroad grade crossing;

- (17) Designating and regulating traffic on play streets;
- (18) Prohibiting pedestrians from crossing a roadway in a business district or any designated highway except in a crosswalk;
- (19) Restricting pedestrian crossing at unmarked crosswalks;
- (20) Regulating persons propelling push carts;
- (21) Regulating persons upon skates, coasters, sleds, and other toy vehicles;
- (22) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions;
- (23) Adopting maximum and minimum speed limits on streets and highways within their respective jurisdictions;
- (24) Adopting requirements on stopping, standing, and parking on streets and highways within their respective jurisdictions except as provided in section 291C-111;
- (25) Prohibiting or regulating electric personal assistive mobility devices on sidewalks and bicycle paths; ~~and~~
- (26) Implementing a photo red light imaging detector system pursuant to chapter _____ ; and
- ~~[(26)]~~ (27) Adopting such other traffic regulations as are specifically authorized by this chapter."

SECTION 6. Section 291C-165, Hawaii Revised Statutes, is amended to read as follows:

"§291C-165 Summons or citation. (a) There shall be provided for use by authorized police officers, a form of summons or citation for use in citing violators of those traffic laws which do not mandate the physical arrest of such violators. The form and content of such summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed to include all necessary information to make the same valid within the laws and regulations of the State.

(b) In every case when a citation is issued, the original of the citation shall be given to the violator; provided that:

(1) In the case of an unattended vehicle, the original of the citation shall be affixed to the vehicle as provided for in section 291C-167; or

(2) In the case of:

(A) A vehicle utilizing the high occupancy vehicle lane illegally; or

(B) A vehicle illegally utilizing a parking space reserved for persons with disabilities, where the violator refuses the citation;

the original of the citation shall be sent by certified or registered mail, with a return receipt that is postmarked within forty-eight hours of the time of the incident, as provided in section 291C-223 for vehicles illegally utilizing the high occupancy vehicle lane, or within seventy-two hours of the time of the incident for vehicles illegally utilizing a parking space reserved for persons with disabilities, to the registered owner of the vehicle at the address on record at the vehicle licensing division. If the end of the applicable forty-eight or seventy-two hour period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day which is not a Saturday, Sunday, or holiday; provided that the administrative judge of the district courts may allow a carbon copy of the citation to be given to the violator or affixed to the vehicle and provide for the disposition of the original and any other copies of the citation.

(3) In the case of a motor vehicle determined by means of a photo red light imaging detector system established pursuant to chapter _____ to have disregarded a steady red signal in violation of section 291C-32(d); the original of the citation shall be sent by first class mail within ten calendar days after the time of the incident for motor vehicles disregarding a steady red light signal in violation of section 291C-32(d), as determined by means of a photo red light imaging system, to the

registered owner of the motor vehicle at the address on record at the vehicle licensing division. If the end of the applicable ten calendar day period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day which is not a Saturday, Sunday, or holiday.

[~~(e)~~] (d) Every citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original."

SECTION 7. Section 291C-194, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Any person who is convicted of violating this section shall be subject to penalties as provided under section 291C-161(b) and [~~+(f)+~~] (g)."

PART IV

SECTION 8. **Annual report.** The department, in consultation with any county that implements a photo red light imaging detector systems pilot program pursuant to this Act, shall annually submit a report to the legislature not later than twenty days prior to the convening of the regular sessions of 2021, 2022, 2023, and 2024. The reports shall include, at a minimum, information on whether the implementation of the pilot program has resulted in any statistically significant reduction in motor vehicle accidents, traffic infractions, and other traffic-related incidents. The reports shall also include

recommendations on how to improve the pilot program, if it should be made permanent, and funding estimates.

SECTION 9. There is appropriated from the State Highway Fund or federal funds the sum of \$ _____ for 2021-2022 for purposes of establishing the photo red light imaging detector systems pilot program.

The sum appropriated shall be expended by the city and county of Honolulu for the purposes of this Act; provided that the city and county of Honolulu shall transfer:

(1) \$112,602.00 to the prosecuting attorney of the city and county of Honolulu, for each year of FB 2020-2022 for one permanent full-time position (1.0 FTE) deputy prosecuting attorney.

SECTION 10. It is the intent of this Act not to jeopardize the receipt of any federal aid nor to impair the obligation of the State or any agency thereof to the holders of any bond issued by the State or by any such agency, and to the extent, and only to the extent, necessary to effectuate this intent, the governor may modify the strict provisions of this Act, but shall promptly report any such modification with reasons therefor to the legislature at its next session thereafter for review by the legislature.

SECTION 11. If any provision of this Act, or the application thereof to any person or circumstance is held

invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 12. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 13. This Act shall take effect upon its approval; except that Part II, Section 2, -6, and all of Part III, shall be effective January 1, 2021.

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INTRODUCED BY: _____

Report Title:

Highway Safety; Photo Red Light Imaging

Description:

Establishes the Photo Red Light Imaging Detector Systems Program (Program). Authorizes counties to administer the Program. Requires proceeds of fines to be expended in the county from which they were collected for operation of the Program. (Proposed SD2



LATE

The Judiciary, State of Hawai'i

Testimony to the Thirtieth State Legislature, 2020 Session

Senate Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Senate Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S. C. Keith-Agaran, Vice Chair

Thursday, July 2, 2020, 10:00 a.m.
State Capitol, Auditorium

By

Calvin C. Ching
Deputy Chief Court Administrator
District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1676, HD1, SD1 - Relating to Highway Safety

Purpose: Establishes the Photo Red Light Imaging Detector Systems Program (Program). Authorizes counties to administer the Program. Requires proceeds of fines to be expended in the county from which they were collected for operation of the Program. (SD1)

Judiciary's Position:

The Judiciary provides the following comments and concerns regarding resources and conflicts between this bill and existing statutes. The Judiciary appreciates the intent of the proposed bill and from an operational standpoint, the Judiciary does not oppose the bill as long as sufficient resources are appropriated and sufficient time is provided for implementation.

In Section 2, proposed §-9 of the bill states that citations for red light infractions initiated through photo red light camera systems will not be recorded on traffic abstracts.



However, the law currently requires that all moving violations arising from the operation of a motor vehicle must be included in a person's traffic abstract. Specifically, Haw. Rev. Stat. § 287-3 provides:

§287-3 Furnishing of operating records. (a) The traffic violations bureaus of the district courts, upon request, shall furnish any person a certified abstract of the bureaus' record, if any, of any person relating to all alleged moving violations and any convictions resulting there from, arising from the operation of a motor vehicle and any administrative license revocation pursuant to chapter 291E, part III and chapter 286, part XIV, as it was in effect on or before December 31, 2001. The traffic violations bureaus may collect a fee, not to exceed \$20, of which \$18 shall be deposited into the general fund and \$2 shall be deposited into the judiciary computer system special fund.

Under the plain language of Haw. Rev. Stat. § 291C-32, disregarding a traffic control signal would be a moving violation arising from the operation of a motor vehicle, regardless of whether the alleged violation was personally observed by a police officer or captured on a recording by a photo red light imaging detector system. *See State v. Cooley*, 123 Hawai'i 293, 296 (2010) (to determine whether a traffic offense is a moving violation, courts must consider the plain language of the underlying statute).

As contemplated the bill would hold the registered owner responsible for the citation, however, the Judiciary is concerned that the license plate alone may not be enough information to adequately identify the registered owner. Additional identifiers such as make, model and color would need to be provided to the court. Even with that information there can be discrepancies between the information provided to the court and the information reflected in the records of other agencies with authority over the registration of motor vehicles. Although we live in the digital age, records are not always readily available in electronic format. The transfer of motor vehicle registration is not instantaneous; if sellers and buyers of motor vehicles do not immediately submit the documents to the agencies responsible for motor vehicle registration, the records may not be accurate. Addressing and resolving such discrepancies may require additional staffing and resources.

Finally, section 2, § - 11 of the bill states that all fines collected for citations issued by and/or through a photo red light imaging detector system must be paid into a separate fund. The proposed creation of this special fund would necessitate the creation of two entirely separate systems for processing citations issued under Haw. Rev. Stat. § 291C-32(a)(3): one system for citations issued by a police officer and a second system for citations issued by and/or through a photo red light imaging detector system. This means that Judiciary staff will need to work with the vendor to create new citation forms for citations issued through a photo red light imaging detector system and to develop and test the integration of the new citations with JIMS.



House Bill No. 1676, HD1, SD1, Relating to Highway Safety
Senate Committee on Judiciary & Senate Committee on Ways and Means
July 2, 2020
Page 3

The Judiciary will be able to assess the financial impact only when it is known which counties will seek to establish a photo red light imaging detector system. The current COVID-19 pandemic has impacted the Judiciary budget and therefore the Judiciary would like to suggest an effective date of July 1, 2021.

Thank you for the opportunity to testify on this measure.

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

LATE

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the Senate Committee on Judiciary
and to Senate Committee on Ways and Means**

H.B. No. 1676 HD1 SD1: RELATING TO HIGHWAY SAFETY

Hearing Date: July 2, 2020, 10:00 a.m.

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran
and Members of the Committee:

The Office of the Public Defender has consistently opposed measures that would establish a photo red light imaging detector systems program. Our position was based primarily on (1) the constitutional problems of a presumption that the registered owner of the vehicle is the driver and (2) the ease to circumvent liability by the offender.

H.B. 1676 HD1 SD1 appears to have addressed our concerns. Therefore, we do not oppose HD1 SD1. We do, however, prefer the anticipated proposed SD2 to be submitted by the Department of Transportation. Proposed SD2 was drafted with the cooperation of the members of the Red Light Running Committee established in 2019 (Act 131, Sessions Laws 2019), which included the Department of Transportation, all county prosecutors, all county police, the Hawaii Bicycling League, Mothers Against Drunk Driving, AAA Hawaii, and the Office of the Public Defender. (Note: Although each member contributed significantly, the Office of the Public Defender would like to especially recognize the Department of Transportation, the Hawaii Bicycling League, and the Department of the Prosecuting Attorney of the City and County of Honolulu for their efforts).

HD1 SD1 and Proposed SD2 includes language, which should address the constitutional problem faced by the traffic van camera (“van cam”) program in the early 2000s. Under the van cam program, there was a legal presumption that the vehicle’s registered owner was actually the same person who was driving the vehicle. A district court judge ruled that the presumption was unconstitutional. Under HD1 SD1 and Proposed SD2, the focus is not on the driver but on the registered owner. Essentially, the offense of disregarding a red light based on a photo red light imaging detector system (i.e., red light camera) is non-moving traffic violation akin to a parking citation. A parking citation is not issued to the driver who illegally parked the vehicle; a parking citation is issued to the registered owner of the vehicle. Similarly, the disregarding red light citation is not issued to the driver but issued to the registered owner.

Moreover, to ensure that there is no confusion as to whether the offense is a moving violation or a non-moving violation and to avoid any constitutional challenges, HD1 SD1 include the provision, “Any summons or citations issues, or convictions resulting from this chapter, shall not be recorded on a person’s abstract.” (See HD1 SD1 page 13, lines 15-17, page 16, lines 16-18). The language,

however, can be and should be improved to avoid any ambiguity that the offense of disregarding a red light based on an imaging detector is a non-moving violation, as written in Proposed SD2:

Any summons or citations issues, or convictions resulting from this chapter, shall not be recorded on a person's abstract, and shall not be used for insurance purposes in the provisions of motor vehicle insurance coverage.

(See Proposed SD2, page 16, lines 16-18) (added language is underscored).

There may be naysayers as to treating the offense of disregarding a red light based on a red light camera as a non-moving violation while treating the offense of disregarding a red light based on a police officer's violation. The purpose of this measure is to deter red light running violations. The Red Light Running Committee has researched other jurisdictions and has determined that treating the offense as a non-moving violation and targeting the registered owner (versus the driver) as proposed in HD1 SD1 and Proposed SD 2 is the most efficient, most reliable and the most effective approach.

Our second concern that has been addressed by HD1 SD1 and Proposed SD2 is that the ease of circumventing liability will be greatly reduced by focusing on the registered owner rather than the driver.

Under the previous versions of the bill, a photographic, digital or other visual image of the driver of the vehicle would be taken. The summons would be sent to the registered owner of the motor vehicle, and would constitute prima facie evidence that the registered owner was the person who committed the violation. In other words, the owner would be presumed to be the driver. The owner, if he/she was not driving the motor vehicle during the photo red light violation, would be inconvenienced by having to prepare a written statement, testify in court, call witnesses or obtain extrinsic proof of his innocence, at his own expense. Furthermore, many family and households have multiple licensed drivers sharing a vehicle or vehicles, and the vehicle(s) are registered to only one of the licensed drivers of the household. Therefore, when a non-registered driver enters an intersection against a red light, the non-registered driver will not receive the citation; instead, the registered owner will receive the citation. When the owner responds to the citation by mail, he/she simply needs to submit his/her driver's license along with a written statement asserting that the person depicted in the red-light photograph is not the registered owner. Because the driver license photograph of the registered owner does not match the photograph of the alleged violator, the presiding judge must dismiss the citation. Hence, the alleged violator will not be prosecuted. The citation will also be dismissed even if the registered owner is required to appear in court. Once the presiding judge determines that the person in court is the registered owner and that the person depicted in the red-light photograph is not of the registered owner, the citation must be dismissed. Again, the alleged violator will never be prosecuted.

Finally, we would also like to point out that to ensure success of the implementation of the red light detection system and to avoid any public backlash, if this measure is enacted, all photographs or recorded images should be reviewed and approved by the county police to determine whether a red-light infraction exists prior to any notice of traffic infraction is mailed to the registered owner. This requirement is essential, as one of the problems with the "van-cam" several years ago was that the citations were issued without any review by the county police. A police review will reduce

the risk of wrongfully issued citations and minimize the number of contested hearings. In the city of Virginia Beach, Virginia, where the police review each photograph, 58% of total violations captured by the cameras in 2010 were thrown out. 30.32% of the total captured violations were dismissed because the police determined that the vehicle completed a safe turn on red. *See* National Cooperative Highway Research Program Report No. 729, Automated Enforcement for Speeding and Red Light Running.

Thank you for the opportunity to comment on H.B. No. 1676 HD1 SD1 and the Proposed SD2.

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • web: www.honolulu.gov

KIRK CALDWELL
MAYOR



WES FRYSZTACKI
DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

TESTIMONY TO THE
SENATE COMMITTEE ON JUDICIARY (JDC) &
SENATE COMMITTEE ON WAYS AND MEANS (WAM)

JULY 2, 2020
10:00 AM

**IN SUPPORT OF
HB 1676 HD 1 SD 1 – RELATING TO HIGHWAY SAFETY**

Chair Rhoads, Chair Dela Cruz, and Members of the Committees:

The Department of Transportation Services supports this measure. Increasing safety on Oahu's roads is a high priority for the City and County of Honolulu.

Drivers who run red lights endanger themselves, as well as other drivers and pedestrians in and around the intersection. Photo red light imaging detector systems are a proven deterrent of red light-running and they improve safety for drivers and pedestrians in an efficient and cost-effective manner. Deployment of this kind of system would complement several initiatives currently implemented aimed at reducing vehicle crashes and traffic fatalities and injuries, many of which occur at signalized intersections.

This measure reflects the recommendations from the Red Light Running Committee established by Act 131, Session Laws of Hawaii 2019. The Department of Transportation Services looks forward to working with the Hawaii Department of Transportation and partnering with other City agencies to successfully deploy and implement these systems.

Thank you for consideration of this measure and for the opportunity to provide this testimony.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

ROBERT YU
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON JUDICIARY AND WAYS AND MEANS
ON
HOUSE BILL NO. 1676, H.D. 1, S.D. 1

**July 2, 2020
10:00 a.m.
Auditorium**

RELATING TO HIGHWAY SAFETY

The Department of Budget and Finance (B&F) offers comments on the creation of the Photo Red Light Imaging Detector Systems Program Special Fund (PRLIDSPSF).

House Bill (H.B.) No. 1676, H.D. 1, S.D. 1, establishes the Photo Red Light Imaging Detector Systems Program, administered by the counties, to help improve the enforcement of traffic signal laws. This bill also establishes the PRLIDSPSF, administered by the Department of Transportation, into which shall be paid revenues collected pursuant to this chapter. All proceeds of fines shall be expended in the county from which they were collected for the establishment, operation, management, and maintenance of a photo red light imaging detector system.

As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought

and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to H.B. No. 1676, H.D. 1, S.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Further, there is no special fund appropriation to support the program as envisioned in the bill.

Thank you for your consideration of our comments.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE CT-LC

July 2, 2020

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street, Auditorium
Honolulu, Hawaii 96813

Dear Chairs Rhoads and Dela Cruz and Members:

SUBJECT: House Bill No. 1676, H.D. 1, S.D. 1, Relating to Highway Safety

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD appreciates the intent of House Bill No. 1676, H.D. 1, S.D. 1, Relating to Highway Safety, and submits the following comments and recommendations.

The HPD fully supports a photo red light imaging detector system. All county law enforcement agencies, including the HPD, participated in the drafting of this pilot project. We believe this project will assist in making our roadways safer and also assist in reducing the number of intersection-related crashes throughout the state.

This bill requires that a governmental law enforcement agency review and validate the photographic evidence. Without specific knowledge as to how many photographs may need to be reviewed, the HPD is concerned that it may not have the adequate resources to fulfill this obligation. We do support a third-party contractor assisting the county police departments by issuing and mailing the citations to the violators.

The Honorable Karl Rhoads, Chair
and Members
The Honorable Donovan M. Dela Cruz, Chair
and Members
July 2, 2020
Page 2

Thank you for the opportunity to testify.

Sincerely,



Calvin Tong, Major
Traffic Division

APPROVED:



Susan Ballard
Chief of Police



Peoples Advocacy For Trails Hawai'i

PO Box 62, Kailua-Kona, Hawai'i 96745
808 -326-7284 www.pathhawaii.org

Subject: Support HB1676

Board of Directors

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Mission

To safely connect
the people and
places on Hawaii
Island with pathways
and bikeways.

Serving
the Island of Hawai'i
since 1986

RELATING TO HIGHWAY SAFETY.

Hearing Time and Date: Thursday, July 2, 2020, 10:00AM Room: Auditorium

Judiciary Chair Senator Rhoads, and Vice Chair Senator Keohokalole:
Committee on Ways and Means Chair Senator Dela Cruz and Vice Chair Keith-
Agaran:

My name is Tina Clothier and I am the Strategic Projects Director for
PATH~Peoples Advocacy for Trails Hawaii and a member of the Hawaii County
Vision Zero Task Force. The Hawaii County Vision Zero Task Force has identified
as a priority for 2020.

Recent analysis by FARS ranks Hawaii as the 5th worst in the nation for speed-
related driving fatalities.¹ In addition, 2008-2017 FARS data reveals Hawaii as
being above the national average for alcohol-impaired driving fatalities for the
entire decade. We currently rank the 5th worst in the nation for the percentage of
alcohol-impaired driving fatalities.² We applaud the legislature for the desire to
reverse this trend and work towards eliminating deaths on our roadways.
HB1676 complements state and county vision zero efforts to eliminate traffic
fatalities by 2030. This measure places emphasis on the two leading factors in
roadway deaths in Hawaii, speed and impairment. Please include the amendment
requested by Hawaii Bicycling League, that only photos of license plates be used
by the program.

The Hawaii County Vision Zero has a goal of ZERO traffic fatalities in Hawaii
County by 2030. You can help us achieve our goal of reducing yearly fatalities, by
supporting this measure to establish a 3 year photo red light imaging detector
system pilot program, establish a special account in the general fund and require
that funds collected be expended in the county where they are collected.

Sincerely,

Tina Clothier, Interim Executive Director

¹ https://icsw.nhtsa.gov/nhtsa/fars/speeding_data_visualization/

² <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812630>

HB-1676-SD-1

Submitted on: 7/1/2020 7:01:20 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Dau	Testifying for Keiki Injury Prevention Coalition	Support	No

Comments:



Keiki Injury Prevention Coalition supports HB1676SD1 Red Light Cameras. There are too many drivers rushing through intersections, ignoring red lights placing others in danger of a crash. Passing HB1676 Red Light Camera Bill is needed to help prevent risky driving and protect those on the road, especially children.

Thank you,

Lisa Dau, RN
Injury Prevention Coordinator
Keiki Injury Prevention Coordinator



HIPHI Board

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College of Tropical Agriculture
and Human Resources

Garret Sugai
Kaiser Permanente

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

Date: June 30, 2020

To: Senator Karl Rhoads Chair
Senator Jarett Keohokalole, Vice Chair
Members of the Judiciary Committee

Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair
Members of the Ways and Means Committee

Re: Support for HB 1676 HD1 SD1, Relating to Highway Safety

Hrg: July 2, 2020 at 10:00 AM at Auditorium

The Obesity Prevention Task Force of the Hawai'i Public Health Instituteⁱ is in **Support of HB 1676 HD1 SD1 with amendments**. This bill would establish a red light camera program and authorize the counties to implement the program. It would also create a special fund, with the proceeds from the fines to be used for the operation of the program.

HIPHI supports all efforts to improve the built environment to make our roads safer for all users. Red light and speeding enforcement cameras are efficient, fair, and effective tools to deter reckless and dangerous driving behaviors and reduce traffic crashes, injuries and fatalities. Increasing road safety for all users is critical to achieving Vision Zero and encouraging active transportation such as walking and biking.

According to the Hawai'i State Department of Transportation, there have been 1,616 intersection crashes from red light and other traffic signal violations (2011-2016) and 13 deaths from drivers disregarding a red light (2011-2018). Red light cameras have been found to reduce crashes at signalized intersections by 25-30%ⁱⁱ and reduce the most serious crashes that are most likely to result in serious injury or deathⁱⁱⁱ.

The current bill language states that the registered owner of the vehicle is responsible for the red light running violation, and thus a picture of the driver is unnecessary. We ask that the committees amend the bill to only require photographs of the license.

Thank you for the opportunity to provide testimony.

Mahalo,



Jessica Yamauchi, MA
Executive Director

ⁱ Created by the legislature in 2012, the Obesity Prevention Task Force is comprised of over 60 statewide organizations, and works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents. The Hawai'i Public Health Institute (HIPHI) convenes the Task Force and supports and promotes policy efforts to create a healthy Hawai'i.

Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Richard A. Retting, Susan A. Ferguson & A. Shalom Hakkert (2003) Effects of Red Light Cameras on Violations and Crashes: A Review of the International Literature, *Traffic Injury Prevention*, 4:1, 17-23, DOI:[10.1080/15389580309858](https://doi.org/10.1080/15389580309858)

ⁱⁱⁱ Federal Highway Administration. (2005, April). Safety Evaluation of Red-Light Cameras—Executive Summary. Retrieved March 12, 2019, from <https://www.fhwa.dot.gov/publications/research/safety/05049/>

HB-1651-SD-1

Submitted on: 6/29/2020 4:34:27 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Yee	Individual	Support	No

Comments:

Reconstructed vehicles pose no greater risk of operating on public roads than non-reconstructed vehicles. Reconstruction is not necessary.

HB-1651-SD-1

Submitted on: 6/29/2020 6:01:47 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rodney Ulep	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 4:34:45 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Willis	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 6:12:35 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Nakat	Individual	Support	No

Comments:

I am in support of this bill

HB-1651-SD-1

Submitted on: 6/29/2020 4:40:52 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Cuasito	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 4:41:33 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanoë Willis	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 4:53:23 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Daoang Jr.	Individual	Support	No

Comments:

Save the state money.

HB-1651-SD-1

Submitted on: 6/29/2020 5:23:14 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Chai	Individual	Support	No

Comments:

vehicle Reconstruction permits were originally created to help deter stolen cars parts.

this is no longer the case, the original function of the recon permit is no longer being followed.

modified sport cars are in most cases safer and more durable than OEM equipped cars.

please consider removing the need for a reconstruction permit and or secondary inspection.

The most annoying aspect of this entire recon permit, is the fact the ONLY the county of Honolulu enforces it. All of the other outer islands don't enforce such, and haven't had the need for such an inspection. It does not dutifully make a difference in any way shape or form.

outer island vehicles don't have to go through tedious means to document a cars modification history. They have proven that without a reconstruction permit, everything is perfectly safe and the lack of such inspection does not mean cars are unsafe.

HB-1651-SD-1

Submitted on: 6/29/2020 5:41:58 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
leo domenden	Individual	Support	No

Comments:

Since it's implementation, the secondary reconstruction inspection has not made any impact on citizens driving safer on Oahu roads or has it been instrumental in providing safer streets for pedestrians to walk on. Nor has it answered the question of its need. In light of recent events, it is logically a better decision to pool the resources of our great state into sectors that need more attention to. We - the taxpayers, the citizens, the kamaaina of Oahu - are already being stretched thin financially; albeit by recent COVID-19 regulations implemented, new taxes to push the rail to completion, or even the rising cost of living in our great state. For many of us, this is HOME. And we make home to our hearts content as much as possible and this transfers to our individuality of how we dress, speak, and decorate. We are THE GATHERING PLACE. And the decorum of which we reflect that ideal is shown in our individual tastes of our fashion, our homes and yes our vehicles. Aloha and Mahalo.

HB-1651-SD-1

Submitted on: 6/29/2020 5:42:17 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
dylan kalahiki	Individual	Support	No

Comments:

Eliminating recon is beneficial and convenient for anyone who has suspension modifications done to their vehicle. It takes away the hassle of having to worry about driving a vehicle that is determined " illegal " or " un-safe " . Recon holds no weight in stopping people from doing these mods. It makes no sense because most of these vehicles are harmless and wont " completely fall apart " if there is not recon.

HB-1651-SD-1

Submitted on: 6/29/2020 5:44:00 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jonathan	Individual	Support	No

Comments:

I support the bill HB 1651 I own and love to build custom cars i spend a lot of time and money customizing my cars not only to look good but to drive good because my family rides in my cars and I will not build anything that is not safe for my family or others on the road's of HONOLULU . Notice I said HONOLULU because we are the only island in our state that has a RECON requirement inspection for custom vehicle's .That's why I support bill HB 1651 100%

HB-1651-SD-1

Submitted on: 6/29/2020 5:56:50 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
brendan	Individual	Support	No

Comments:

This bill needs to be passed. Recon is ridiculous.

HB-1651-SD-1

Submitted on: 6/29/2020 6:10:08 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Degray	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 6:41:17 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
La?akea Awong	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 6:49:25 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tatiana koki	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 6:55:06 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tsz Yin Lau	Individual	Support	No

Comments:

I urge your support for HB1651. Recon permit have proven useless and only addition burden for car lover on this island..... NO OTHER place in the us have recon system.... Its time repearl recon system!!!! Its a diffuct time, its time to stop these money grabbing process and put our money to the area needed the most

HB-1651-SD-1

Submitted on: 6/29/2020 7:15:42 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Carvalho	Individual	Support	No

Comments:

I support bill HB1651

HB-1651-SD-1

Submitted on: 6/29/2020 7:39:47 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Aaron Rideout	Individual	Support	No

Comments:

Honolulu is the only county in the entire 50 states requiring a secondary inspection.

Reconstruction Rules are antiquated and do not make the roads safer.

The latest revision of the rules was written in July 11, 1986, almost 34 years ago. In the 80's there were fewer performance aftermarket companies manufacturing parts/kits for vehicles. Modern aftermarket suspensions are designed on computers offer better fitment and safety. According to 2015 NHTSA crash statistics only 2% of accidents are caused my mechanical failures. 94% are caused by driver error. There is no significant data that shows mandatory auto inspections are making the road any safer.

Requirements for Reconstruction Inspectors are far lower than the requirements for a safety check station.

HAR 19-134-12 Recon Inspector Requirements

(1) Be a high school graduate or have an equivalent education level certificate:

(2) Have at least one year of employment experience in automotive repair or a related technical field (one year of experience in vehicle safety inspection activities or the supervision of vehicle safety inspection activities, may be substituted for this requirement):

HAR 19-142-11 Safety Inspector Certification

(9) Applicant's Technical licenses

HAR 19-142-12

(5) Each applicant shall have 1 year of training in auto mechanics or 2 years of work experience.

(6) complete a performance examination

Safety check stations have licensed mechanics that have ASE certifications. This requires formal education, many hours of on the job experience. ASE certification require multiple testing on different aspects of automotive fields like brakes, suspension and steering, They are also required to renew their certifications every 5 years. The amount of skill and professional experience of a safety check inspector far exceeds the technical knowledge of Reconstruction Inspector. It is redundant to require a secondary inspection by a less qualified person and could open up the state to unwanted liability.

The Reconstruction Office is unable to service public adequately.

According to HAR 19-134-16 Hours of operation. (a) county reconstructed vehicle inspectors and facilities shall be made available on a regularly scheduled basis and for such periods of time as may be necessary to insure that all reconstructed vehicles are inspected in an efficient and expeditious manner. (b) Reconstructed vehicle inspection stations designated by the county department shall have at least one appointed reconstructed vehicle inspector available to conduct inspections for a total of at least four hours during the period from 6:00 a.m. to 10:00 pm, five days a week, except designated holidays.

Current Hours 12-4pm only 4 hours a day which is non-compliance of procedural rules. The reduced hours are not providing adequate services to the public.

Income revenue does not justify staff salaries

Cost of Recon Inspection is \$15

To my knowledge, there are 3 full-time staff members and 3-5 trainees inspecting vehicles. I spoke with William Chang as asked how many vehicles were processed in an average day. He told me 30-50 cars. The cost of reconstruction is \$15. That gives a range of

\$450-\$750 per day

\$9000 - 15,000 per month

\$108,000 - \$180,000 per year

The average office manager makes about \$50,000 a year. Given that information, I suspect the state is losing money on the reconstruction program. I urge the lawmakers to look into the expenses of the department to see if what the actually costs. I think that they will find that it is fiscally irresponsible and costing the taxpayers money. I would also urge the lawmakers to talk to the William Chang at Motor Vehicle Control and get input from the employees that actually work there and run the program.

PMVI could easily be amended to accommodate safety concerns of the public and state agencies.

HB-1651-SD-1

Submitted on: 6/29/2020 7:41:55 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Aliyah Akina	Individual	Support	No

Comments:

I feel as if recon is something that really holds back some individuals to really customize their belongings and that is how people express themselves, through their vehicles. Also, I feel as if it is a waste of time and money.

HB-1651-SD-1

Submitted on: 6/29/2020 8:27:47 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ambrose Chee	Individual	Support	No

Comments:

We dont need recon anymore.

HB-1651-SD-1

Submitted on: 6/29/2020 8:29:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
austin	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 8:38:37 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence Rosa III	Individual	Support	No

Comments:

People who modify their vehicles spend a lot of money on them and takes pride and joy. They invest time, money and many have families and would not put them in harms way. As a result they do thier due diligence, to ensure their builds are safe.

HB-1651-SD-1

Submitted on: 6/29/2020 8:44:09 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
justin	Individual	Support	No

Comments:

As a safety check inspector I feel the additional recon inspection is a complete waste of time and money. A recon inspection is basically the same thing as a safety check inspection. People shouldn't have to pay for the same service twice. Recon started in the 40s or 50s as an attempt to stop car theft, because it was a big problem back then, so if you did any changes to your car that wasn't factory original you had to show receipts, or proof that you bought the parts and it wasn't stolen, but the way recon operates now is nothing like its intended purpose. Some how through the years its purpose went from theft deterrent to just a glorified safety check, and as a safety check inspector I can tell you that we check for all the same things that the recon inspectors check for which makes recon completely unnecessary, plus recon inspections are not consistent at all, some people get away with certain modifications and others don't, simply because some recon inspectors know what to look for and some don't.

HB-1651-SD-1

Submitted on: 6/29/2020 8:52:12 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William W Hope Jr.	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 9:03:51 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jake Hanawahine	Individual	Support	No

Comments:

I am in strong support of Hb1651.

Jake Hanawahine

HB-1651-SD-1

Submitted on: 6/29/2020 9:11:24 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Willie Woods	Individual	Support	No

Comments:

Recon is retarded... you guys already make money from retarded registration and stupid safety checks. Recon is another way you guys tax us to make money and all recon does it makes the already difficult process of staying current harder by adding this extra nonsense to have in the process entirety.

HB-1651-SD-1

Submitted on: 6/29/2020 9:22:19 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
micah curimao	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 9:24:15 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Respicio	Individual	Support	No

Comments:

Please pass this bill. As a a person who had modified cars from early 2000's till present passing this reconstruction bill would take a lot of weight off car enthusiasts. Most if not all of the people that modifys there vehicle puts in a lot of hard work and time to make there vehicle safe and sound for the roads.

HB-1651-SD-1

Submitted on: 6/29/2020 9:36:55 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaymen Plan	Individual	Support	No

Comments:

HB-1651-SD-1

Submitted on: 6/29/2020 10:02:28 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
CJ Jasper	Individual	Oppose	No

Comments:

Aloha, my name is CJ and I oppose the bill for reconstituted vehicle permits. First off here's a little about me. I'm a blue collar man with a family of 3 and I lived on Oahu my whole life. My sons are 2,7 and 12 years old and they are just as into cars and trucks as much as I am. They enjoy taking daddy's big truck out on the weekends as a family to cruise around but this recon law makes it nerve wrecking that we might get a ticket every time because daddy's truck is "illegal" in the eyes of whoever supports the ridiculous recon law. Im not the only one that feels a check up AFTER a check up is just not pono. It's like going doctors twice to get told the same thing and being charged for it.. we as car enthusiasts put money, time and effort into everything making our cars as unique as possible. It's a extension of who we are as enthusiasts. We make ours cars more road efficient than your average vehicle. Majority of us have our cars done professionally and that cost big money too. It's a shame that we need to pay double for a sticker that says our car is safe. Isn't that what a safety check is for? Are they not checking to see if anything is out of line or unsafe? It's unnecessary to have a secondary opinion. It's a waste of time and money when the safety check specialists are supposed to already be professionals at spotting flaws. We don't build our cars to ram into people in fact we build our cars to drive more efficiently and we drive more cautiously so we don't mess up our investments. This recon has been a scam from the get go and everyone on the island knows it. Put that energy into something else like opening the track for people to go safely and run their cars. Take care the people that are already here on the island just as much if not more than outsiders by making more hotels and resorts.. take care local people first!

mahalo for taking time in reading my testimony,

-CJ

HB-1651-SD-1

Submitted on: 6/29/2020 10:21:46 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimana Cameron	Individual	Support	No

Comments:

I just have a few words to say about why we shouldn't have recon at all. We are the only island out of all of the islands to need a reconstruction sticker and why is that? I'll tell you why because it's the most populated island so the state sees where they can take advantage of the people that only live on Oahu. The state is just trying to find ways to dig themselves out of the debt that they are in. So what the state does is raise taxes on us and come up with laws that are useless so they can pay for their mistakes on choosing things that this island does not need. Recon is probably the most dumbest thing that they could have ever came up with. The state tries to say that you need it so they know the lift is put on right and all that kind of stuff but wouldn't you think that people wouldn't be stupid enough to put a lift on wrong. If someone didn't know how to put a lift on correctly they are either gonna get it professionally done, go to someone that knows how to do it correctly, or just not do it at all. If someone knows what they are doing they are gonna have someone else that knows what they are doing to help them. I had a friend help me put a lift on my truck because I know what I'm doing and he knows what he's doing and his dad also helped us and he knows what he's doing. The point is no one is stupid enough to put someone on their truck if they don't know what they are doing. All I'm trying to say is recon is just another way for the state to get money out of us and that no one is dumb enough to do reconstruction things to their vehicle half ass and poorly. People in Hawaii has pride for what they own and do, you think we gonna do it half ass or go all out and do it correctly so no one else gets hurt and most of all the person that owns the vehicle and drives it gets hurt and cause damages to other people's property. If no other island has it then why should we? If you say it's because it needs to protect others from things flying up welp look just made you think of a job you can create and give someone and that's to clean up the side of the roads. Maybe if you fixed our roads then wouldn't have so much rocks and potholes that cause things to fly up and hit other people. The state needs to start thinking about making Hawaii look beautiful again then charge the locals more money because of your guys mistakes. Wake up look at the bigger picture and stop being selfish.

HB-1651-SD-1

Submitted on: 6/29/2020 10:49:07 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryce	Individual	Support	No

Comments:

I don't mind having to get the permit. It's the restrictions within the permit that makes reconstruction stupid. People HAVE been running wide wheels/tires. There is no safety hazard.

HB-1651-SD-1

Submitted on: 6/29/2020 10:51:12 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
stuart saito	Individual	Support	No

Comments:

all vehicles must already pass a safety inspection regardless, that should be enough.

HB-1651-SD-1

Submitted on: 6/29/2020 11:06:49 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Martin	Individual	Support	No

Comments:

I fully support the repeal of the reconstruction inspection. It is an extreme inconvenience and any qualified mechanic is able perform a safety inspection on any passenger vehicle. Safety will not be jeopardized if the reconstruction inspection is repealed. The reconstruction inspection is overkill.

HB-1651-SD-1

Submitted on: 6/29/2020 11:16:58 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
christian Dela Cruz	Individual	Support	No

Comments:

Please hear the people of Hawaii on Oahu out to eliminate reconstructional permit. It is no sense in needing for this because we already undergo strict safety checks through safety stations assuring are vehicles are safe and in proper working order, yes we may modify our vehicles, it's a life style a hobby a stress reliever for many and probably all because it's our escape to relax and work on our vehicles we spend hard earn money to build something we have a passion for. For some it's their savior to get into building a unique vehicle that describes them to keep them away from negativity for others it was a way out of doing drugs being a criminal portrayed to society. And for the most it teaches you a lot, you learn multiple and various reasons on how to build something unique to basic engine maintenance it aspires and creates jobs for people to do what we do. Take that into consideration because the era we live in give you folks specific pictures of our vehicles when we go to get our safety check renewed every year.

HB-1651-SD-1

Submitted on: 6/29/2020 11:17:28 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard	Individual	Support	No

Comments:

As a state worker and tax payer I support this bill

HB-1651-SD-1

Submitted on: 6/30/2020 12:10:22 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Buss	Individual	Support	No

Comments:

I fully support the removal of Recon inspection. It is ineffective, a waste of time and money and those resources could be allocated elsewhere.

HB-1651-SD-1

Submitted on: 6/30/2020 12:48:30 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Wertz	Individual	Support	No

Comments:

I support this bill. I have dealt numerous times with the reconstruction permit office with good and bad experiences. My problem is the consistency of the office and inspectors in regards to HAR19-134 "approval of reconstructed vehicles." I have been told the rules have changed from what they were yet the HAR stays the same. My most recent vehicle was a Toyota truck with a straight front axle conversion. I brought the vehicle in February of 2018 and was told that it would not pass. I explained that my buddy had an almost identical truck with the same conversion that passed several months prior. The inspector said, "Oh you just missed the cutoff." So I asked if the rules had changed. I was told, "The rules haven't changed just the way that we interpret them." I thought, "How convenient for you, I now have a truck that I can't register or sell if I wanted to." I explained that nowhere in the HAR19-134 does it say that straight axle conversions are not allowed. I was unable to get a reconstruction permit.

The HAR's are old and outdated. The rules for modifying vehicles are not fair across the board. You can have a "special interest vehicle" and basically do whatever you want. You can have a 60's hot rod with a 4-link rear end conversion and not need a recon permit but you cannot do this conversion on any newer vehicle that requires a recon permit. The other unfortunate aspect of recon, are all the small businesses that are involved. The only things that will pass recon right now are bolt on items from big manufacturers. This takes money from our local shops that design and do these modifications for a living.

The bottom line is most people want to modify their vehicle in one way or another. To let certain vehicles pass while others cannot is unfair. As long as the vehicle complies with safety check standards I don't see a reason for a secondary vehicle inspection. Thank you for your time.

HB-1651-SD-1

Submitted on: 6/30/2020 1:44:03 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nico Vargas	Individual	Comments	No

Comments:

I feel the "Recon" process and sticker is unnecessary.

I oppose this being a requirement in the State of Hawaii, and instead support safety checks only once a year which are sufficient to verify the construction and alteration of vehicles without further verification from a second inspector.

HB-1651-SD-1

Submitted on: 6/30/2020 5:52:57 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Travis	Individual	Support	No

Comments:

A secondary vehicle inspection should not be necessary for a vehicle to be operated on public roadways. The vehicle has to pass a safety check to be on roadways already. There are many people who have a passion for modifying vehicles if the vehicle passes the already required safety check I believe the vehicle should be able to be used on public roadways without a secondary inspection

HB-1651-SD-1

Submitted on: 6/30/2020 6:14:00 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jason timm	Individual	Support	No

Comments:

I'm in support of this bill 100%. The reconstruction permit is absolutely unnecessary as all the other islands do not have it. It's another step that people have to take to get their vehicles legal. The people who "inspect" reconstructed vehicles and unqualified for this type of inspection. They have no background in motor vehicle modification or any type of engineering logic. They are completely and utterly incompetent. It's a huge waste of money for the state as it's been shown to lose money. The hours for the reconstruction office are very limited which makes it even harder for people to get their vehicles "legal" for the road. There are many unsafe cars out there that don't require reconstruction just because they're not modified. People who modify their vehicles take extreme pride and make sure the work is done properly to the vehicle as they are vehicle enthusiasts.