

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 HOUSE COMMITTEE ON JUDICIARY  
ON  
HOUSE BILL NO. 1676, H.D. 1

**February 13, 2020**  
**2:05 p.m.**  
**Room 325**

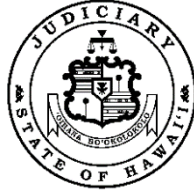
RELATING TO HIGHWAY SAFETY

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1676, H.D. 1.

H.B. No. 1676, H.D. 1, establishes a three-year Photo Red Light Imaging Detector System Pilot Program (PRLIDSPP) to be administered within the City and County (C&C) of Honolulu. This bill establishes a PRLIDSPP account as a special account within the general fund and appropriates an unspecified amount of general funds to the C&C of Honolulu in FY 21 to establish the PRLIDSPP.

As a matter of general policy, B&F does not support the creation of special accounts within the general fund, as it would be problematic on how to administer the special account. Further, it is also unknown how the fines would be collected and where they would be deposited.

Thank you for your consideration of our comments.



*The Judiciary, State of Hawai'i*

Testimony to the Thirtieth State Legislature, 2020 Session

**House Committee on Judiciary**  
Rep. Chris Lee, Chair  
Rep. Joy San Buenaventura, Vice Chair

February 13, 2020, 2:05 p.m.  
State Capitol, Conference Room 325

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 – Relating to Highway Safety

**Purpose:** Establishes a three-year photo red light imaging detector system pilot program. Authorizes any impacted county to administer the photo red light imaging detector system pilot program. Establishes a photo red light imaging detector systems pilot program account as a special account within the general fund. Requires proceeds of fines expended in the county from which they were collected for operation of the photo red light imaging detector system pilot program. Appropriates funds. Sunsets 6/30/2023. Effective 7/1/2050 (HD1)

**Judiciary's Position:**

The Judiciary appreciates the intent of the proposed bill, but would request that the effective date for this program be extended to give the Judiciary ample time to prepare for this program. This legislation will require the Judiciary to work with a selected vendor to create new citations and to ensure system compatibility. New system codes, including fiscal codes to handle the special fund monies, will also need to be created and tested prior to implementation. Each of these tasks could not be completed by the effective date (July 1, 2020) set forth in the bill.

Thank you for the opportunity to testify on this measure.

**STATE OF HAWAI'I**  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of the Office of the Public Defender,  
State of Hawai'i to the House Committee on Judiciary**

February 12, 2020

**LATE**

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

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Office of the Public Defender opposes H.B. No. 1676.

This measure would establish a photo red light imaging detector systems program. This system would be an unmanned, automated system, which would be triggered by sensors when a vehicle enters an intersection against a red light. Although we believe that strict enforcement of our traffic laws results in a reduction of traffic accidents and increased traffic safety, we do not believe this measure appropriately balances the rights of the accused violators with the public's interest in traffic safety.

According to this measure, 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. The registered 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 registered 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.

We also believe that article I, section 10 of the Hawai'i Constitution and the fifth amendment to the United States Constitution prohibits the presiding judge from compelling the registered owner to testify and disclose the identity of the alleged violator in the red-light photograph. Therefore,

enforcement of the traffic signals law via the red light imaging detector system for a substantial number of drivers (i.e., drivers operating vehicles not registered to them) will be rendered ineffective.

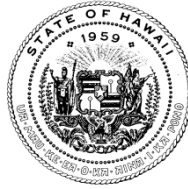
Another factor this committee has to consider is the cost of implementing a photo red light program. The general public has already voiced its outspoken opposition to photo speed detection systems. Do we have the public's support for such a program? What happens after the public demands that this program be disbanded, much like the "van cam" system? The difference between photo red light detection and the speeding vans is that in order to implement photo red light detection, monies must be spent up front, for the fixed cameras and embedded sensors. Before we embark on such a program, we must be certain of the total cost of installing the cameras and detection equipment, and that there is public support for the expenditure.

Other communities, most notably in California and Arizona, have begun to disband their photo red light programs. *See* Scazuzillo, Steve, [San Gabriel Valley Tribune](https://www.sgvtribune.com/2014/01/21/red-light-cameras-being-stopped-across-southern-california-country/), "Red-light cameras being stopped across Southern California, country," January 21, 2014, updated August 30, 2017 (<https://www.sgvtribune.com/2014/01/21/red-light-cameras-being-stopped-across-southern-california-country/>), last visited January 29, 2020); *see also* Lapastora, Charlie, [Fox News](https://www.foxnews.com/us/red-light-cameras-come-under-fire-at-least-7-states-trying-to-ban-them), "Red-light cameras come under fire, at least 7 states trying to ban them," January 31, 2018 (<https://www.foxnews.com/us/red-light-cameras-come-under-fire-at-least-7-states-trying-to-ban-them>), last visited January 29, 2020).

Additionally, we have concerns with the methodology to be used in the selection of the intersections where the equipment shall be posted. The measure, in SECTION 6(a), directs that "the photo red light imaging detector equipment shall be positioned . . . at the ten intersections with the highest motor vehicle accident rates during the time period commencing January 1, 2018, and ending on March 15, 2019." Data regarding the intersections with the highest motor vehicle accidents involving drivers disregarding traffic signals from 2014 to 2018 was provided to the Red Light Running Committee established by the 2019 State Legislature in Senate Bill 663, S.D.2, H.D.1, C.D.1. (Data is attached hereto as Appendix "A"). As one can see, the intersections with the highest number of accidents in one year is not even found on the list for the other years. Therefore, another method of selecting intersections should be considered.

Finally, 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.



TESTIMONY BY:

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

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

February 13, 2020  
2:05 P.M.  
State Capitol, Room 325

**LATE**

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

House Committee on Judiciary

---

The Department of Transportation (DOT) **supports** the intent of H.B. 1676, H.D. 1 but recommends H.B. 2008.

Drivers of motor vehicles violating Hawaii's traffic laws have become intolerable especially those who disregard red light traffic-control signals. These violations not only endanger the lives of motorists and pedestrians, but they compound the hazardous conditions that already exists on the roads. The risk of disregarding red lights often leads to property damage, injuries and deaths resulting from motor vehicle crashes.

H.B. 2008 includes a number of the policy recommendations put forward by the red light running committee that was established by Act 131, Sessions Laws of Hawaii, 2019. One of the policy recommendations was to determine locations for the placement of photo red light imaging detector equipment based on data incidents of red light running (i.e., crash reports, fatality, injury, property damage) and citations as well as volume/traffic counts and to conduct a study considering various engineering countermeasures.

DOT believes that any intersection within a county that is qualified for photo red light imaging detector equipment based on the Red Light Running committee's proposed criteria should be part of the "pilot program" rather than intersections restricted just to a "pilot program designated area."

Other concerns with this measure are: (1) the requirements that citations be sent by certified or registered mail with return receipt because of the cost factor; (2) the lack of rebuttable defenses a registered owner or motor vehicle operator may present as described in Section 9(b) (Prima facie evidence) on pages 13 to 14; (3) the lack of a provision to reissue a citation to the driver of the motor vehicle at the time of the offense identified by the registered owner or lessee of the vehicle; and (4) the lack of provisions that any summons or citations issued, or convictions for a photo red light imaging violation are not recorded on a person's traffic abstract.

During calendar years 2014 to 2018, a total of 1,312 intersection crashes occurred statewide as a result from red light and other traffic signal violations. These reportable crashes resulted in deaths, numerous injuries and property damage.

During calendar years 2015 to 2018, a total of 13 deaths statewide occurred from a driver of a motor vehicle disregarding a red light traffic-control signal.

During calendar years 2015 to November 5, 2019, police statewide issued 20,885 red light violations to motorists who disregarded the red light traffic signal. However, because police have other priority calls for services, it is not possible for them to enforce the laws at every intersection.

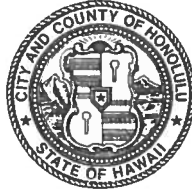
The red light detection cameras have shown to be very effective in cities across the nation. At intersections where a high volume of crashes had previously occurred, a significant reduction of crashes resulted at those intersections when red light cameras were installed. This leads to the protection from death, injuries and property damage.

The DOT supports the intent of H.B. 1676, H.D. 1 that establishes a red light imaging detector system pilot program, but would prefer H.B. 2008 as it establishes a more complete red light running program that was developed by the Red Light Running committee as established by Act 131 of the 2019 legislative session.

Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
CLYDE K. HO  
DEPUTY CHIEFS

CT-LC

OUR REFERENCE

February 13, 2020

**LATE**

The Honorable Chris Lee, Chair  
and Members  
Committee on Judiciary  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Lee and Members:

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

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, which will make our roadways safer and reduce the number of intersection-related crashes throughout the state.

The HPD urges you to support House Bill No. 1676, H.D. 1, Relating to Highway Safety.

Thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Susan Ballard in black ink.

Susan Ballard  
Chief of Police

Sincerely,

Handwritten signature of Calvin Tong in black ink.

Calvin Tong, Major  
Traffic Division



Harry Kim  
Mayor



Roy Takemoto  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

## County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553  
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740  
(808) 323-4444 • Fax (808) 323-4440

February 12, 2020

**LATE**

Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

Dear Chair Lee, Vice Chair San Buenaventura, and Committee Members:

### RE: **HB 1676, HD1 Relating to Highway Safety**

Thank you for hearing HB 1676, HD1. I testify in support of this measure but ask that it be amended to include all counties that choose to participate.

As our populations grow, so does traffic, leading to more traffic congestion and greater driver frustration. Frustration, in turn, can lead to more carelessness or more risk taking, such as pushing the envelope on running red lights to save a few precious seconds.

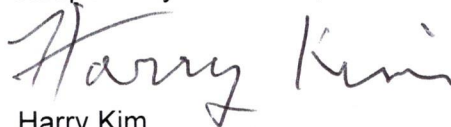
There are jurisdictions on the mainland and around the world where traffic laws are ignored and driving is chaotic. Though some might think that Hawai'i has already achieved that state, in truth we have managed to retain some respect for law, even traffic laws, and we need to do what we can to assure that our standards do not deteriorate, and perhaps even move up a notch or two.

The preamble to HB 1676 is an excellent summary of our history with red-light enforcement, and why we should authorize the counties to try pilot programs. It may be necessary to prove to the public that such programs can be administered fairly and are in the best interest of the traveler—whether driver, bicyclist, or pedestrian. HB 1676, HD1 could provide that opportunity for those counties that wish to participate.

However, though Part I of HB 1676 talks about authorizing “any impacted county to implement the photo red light imaging detector system pilot program,” Part II says “ ‘County’ means a county with a resident population of greater than five hundred thousand.” We would respectfully request that the opportunity to participate be open to all counties, or that the population threshold be lowered to 200,000. A corresponding amendment would have to be made to the section designating area boundaries.

I ask for your favorable action on an amended HB 1676, HD1.

Respectfully Submitted,

  
Harry Kim  
MAYOR



DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515

DWIGHT K. NADAMOTO  
ACTING PROSECUTING ATTORNEY

LYNN B.K. COSTALES  
ACTING FIRST DEPUTY  
PROSECUTING ATTORNEY



**THE HONORABLE CHRIS LEE, CHAIR  
HOUSE COMMITTEE ON JUDICIARY  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawai`i**

February 13, 2020

**RE: H.B. 1676, H.D. 1; RELATING TO TRAFFIC SAFETY.**

Chair Lee, Vice Chair San Buenaventura, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu (Department) submits the following testimony in support of the intent for H.B. 1676, H.D. 1 with comments.

The purpose of this bill is to create a three-year pilot project regarding the implementation of a red light camera system to improve traffic safety and enforcement. Act 131 (2019) Legislative Session, established a red light running committee which would review and develop policies for a potential pilot projects around the state. This committee was made up of the various police department and prosecuting attorney's offices from each island, the Judiciary, Public Defender's Office, Department of Transportation (City and State), Public Works and various other stakeholders from the community.

Although valuable amendments were made from the previous committee and illustrated in H.B. 1676, H.D. 1, the Department would note the following questions and concerns:

**Pg. 8, ln 9-12** – Equipping 10 intersections with the highest motor vehicle accident rates may not be the best indicator of reducing red light running and ensuring safety. The task force was provided with accident reports from various intersections which failed to correlate red light running and increased fatalities and/or accidents. Thus, we could not determine if the accidents occurring at a particular intersection may have involved a vehicle who ran a red light, or merely a vehicle stopped at the light and rear-ended by an inattentive driver. Creating a baseline for the amount of individuals running red lights at each intersection being contemplated would be prudent to ensure red light cameras serve as a successful deterrent.

**Pg. 8, ln 18-19** – H.B. 1676 requires that signs indicating an intersection is enforced by a photo red light camera shall be posted on all “major routes”. The Department would suggest clarification on what this bill intends as a “major route”.

**Pg. 9, ln 12-16** – The Department would suggest further clarification on what shall be determined by law enforcement as a “clear and unobstructed” photo. A non-blurry photo depicting a person wearing sunglasses and a hat may be deemed clear and unobstructed by law enforcement for the issuance of a citation, however, for prosecution purposes such a photo would be insufficient to establish identification.

**Pg. 10, ln 7-8** – Pursuant to the USPS website (<https://www.usps.com/ship/insurance-extra-services.htm>), neither certified or registered mail requires the signature of the intended recipient. Therefore, the Department is concerned that if the registered owner (RO) does not sign for the citation, there may be a lack of sufficient notice for the citation.

**Pg. ln 9-10** – In the event that an RO changes address, it is unclear whether a ticket can be properly delivered if the new residents of the address refuse to sign for the certified or registered mailed citation.

**Pg. 14, ln 1-2** – H.B. 1676 should clarify if “identifying the driver” is simply naming another person or if additional contact information must be divulged to cite the proper individual. If simply showing up to court and naming another person is sufficient to rebut the citation, the Department is concerned that enforcement may be greatly hindered.

**Pg. 14-15, ln 18-21, 1-2** – The Department would suggest rephrasing the penalty section to read as follows:

- **Penalty.** A violation of section 291C-32(a)(3), Hawaii Revised Statutes, as determined by means of a photo red light imaging detector system, shall be as provided in section 291C0161, Hawaii Revised Statutes.

In addition, due to a number of past court rulings, effectively prosecuting a variety of low-level traffic offenses have become very burdensome and costly. The Department could foresee that with the implementation of red light cameras, associated costs with enforcing cases that proceed to trial may far exceed the fine that would be imposed through a successful conviction. Specifically, the introduction of the red light camera photo would require the State to lay the proper foundation to successfully include the photo into evidence as being reliable. Routinely, this is done by eliciting testimony from an individual who has direct knowledge with the equipment and process in which a photo is generated. Thus, the Department would need the technician from the selected vendor to appear in court at each trial to testify. This could become problematic if this pilot program was expanded throughout Oahu. Technicians would be subpoenaed to appear in court simultaneously at potentially five different district courts daily (Honolulu, Wahiawa, Waianae, Kaneohe and Ewa District Court).

Lastly, this bill may result in individuals operating non-registered vehicles to circumvent the law. In the event that a non-registered driver is caught running a red light, procedurally, the

RO of the vehicle would then subsequently be mailed a citation. When this occurs, the RO of the vehicle would submit a copy of their license to the court confirming the RO was not actually operating the vehicle at the time of the offense. Summarily, the court will be forced to dismiss the citation further incentivizing driving another person's vehicle and deterring enforcement.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the intent of H.B. 1676 with comments. Thank you for the opportunity to testify on this matter.



MICHAEL P. VICTORINO  
MAYOR

OUR REFERENCE  
YOUR REFERENCE

# POLICE DEPARTMENT

## COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411



TIVOLI S. FAAUMU  
CHIEF OF POLICE

DEAN M. RICKARD  
DEPUTY CHIEF OF POLICE

February 12, 2020

**LATE**

The Honorable Chris Lee, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
and Members of the Committee on Judiciary

House of Representatives  
Hawaii State Capitol  
Honolulu, Hawaii 96813

**RE: House Bill No. 1676 - Relating To Highway Safety**

Dear Chair Lee and Members of the Committee:

The Maui Police Department SUPPORTS the passage of H.B. No. 1676.

Failing to stop for red lights are becoming more prevalent with the increase in traffic congestion as well as living in a busier and faster paced society. Innovative solutions are necessary to protect the lives and safety of motorists, cyclist, pedestrians and our law enforcement officers who place their lives on the line daily while enforcing traffic on our roadways.

Implementing a pilot program with the photo red light imaging detector system has several benefits:

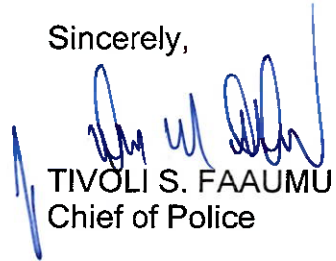
- 1) It does not pose a safety risk for law enforcement officers as well as the general public while officers are conducting traffic stops as a result of red light violations.
- 2) Officers are able to concentrate on remaining available to address priority calls for service rather than being occupied issuing traffic citations.
- 3) Overtime costs for officers will be significantly reduced with fewer court appearances due to officers not having to appear in court.
- 4) Around the clock monitoring by the detection system in designated areas will improve traffic safety and deter motorists from running the red light.

The Honorable Chris Lee, Chair  
February 12, 2020  
Page 2

The Maui Police Department asks that you SUPPORT the passage of H.B. No. 1676.

Thank you for the opportunity to testify.

Sincerely,

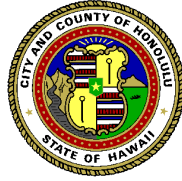


TIVOLI S. FAAUMU  
Chief of Police

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  
HOUSE COMMITTEE ON JUDICIARY (JUD)

FEBRUARY 13, 2020  
2:05 PM

**LATE**

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

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

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.

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 the proposed pilot program.

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



## Peoples Advocacy For Trails Hawai'i

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

Testimony in Support of HB1676

### Board of Directors

Cindy Armer  
Linda Jane Kelley  
Jeff McDevitt, MD  
Jane Bockus  
Derinda Thatcher  
Mike Drutar  
Franz Weber  
Jolene Head  
Hannah Ako  
Kelly Hudik

### Executive Director

Valerie Overlan

### Program Director

Paul Burke

### Strategic Projects

#### Director

Tina Clothier

### 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

Aloha Chair Aquino, Vice Chair Hashimoto, and esteemed members of the Committee on Transportation:

Peoples Advocacy for Trails Hawaii (PATH) supports the intent of H.B. 1676, but recommends H.B. 2008.

Drivers of motor vehicles violating Hawaii's traffic laws has become intolerable especially those that disregard red light traffic-control signals. These violations not only endanger the lives of motorists and pedestrians, but they compound the hazardous conditions that already exists on the roads. The risk of disregarding red lights often leads to property damage, injuries and deaths resulting from motor vehicle crashes.

PATH agrees with the Department of Transportation that intersections within any county should be selected for the placement of photo red light imaging detector equipment based on the criteria recommended by the red light running committee.

H.B. 2008 includes a number of the policy recommendations put forward by the red light running committee that was established by Act 131, Sessions Laws of Hawaii, 2019.

One of the policy recommendations was to determine locations for the placement of photo red light imaging detector equipment based on data incidents of red light running (ie: crash reports (fatality, injury, property damage) and citations as well as volume/traffic counts and conduct a study addressing various engineering countermeasures.

Other concerns with this measure are: (1) the requirements that citations be sent by certified or registered mail with return receipt because of the cost factor; (2) the lack of rebuttable defenses a registered owner or motor vehicle operator may present as described in Section 9(b) (Prima facie evidence) on pages 12 to 13; (3) the lack of a provision to reissue a citation to the driver of the motor vehicle at the time of the offense identified by the registered owner or lessee of the vehicle; and (4) the lack of a provisions that any summons or citations issued, or convictions for a photo red light imaging violation is not recorded on a person's traffic abstract.

The red light detection cameras have shown to be very effective in cities across the nation. At intersections where a high volume of crashes had previously occurred, a significant reduction of crashes resulted at those intersections when red light cameras were installed. This leads to the protection from death, injuries and property damage. PATH supports the intent of H.B. 1676 that establishes a red light imaging detector system pilot program, but would prefer H.B. 2008 as it establishes a more complete red light running program that was developed by the Red Light Running committee as established by Act 131 of the 2019 legislative session.

Thank you for the opportunity to provide testimony.





## HIPHI Board

Michael  
Robinson, MBA, MA  
Chair  
Hawaii Pacific Health

JoAnn Tsark, MPH  
Secretary  
John A. Burns School of  
Medicine, Native Hawaiian  
Research Office

Kilikina Mahi, MBA  
Treasurer & Vice Chair  
KM Consulting LLC

Forrest Batz, PharmD  
Retired, Daniel K. Inouye  
College of Pharmacy

Debbie Erskine  
Kamehameha Schools

Keawe'aimoku  
Kaholokula, PhD  
John A. Burns School of  
Medicine, Department of  
Native Hawaiian Health

Mark Levin, JD  
William S. Richardson School  
of Law

Bryan Mih, MD, MPH  
John A. Burns School of  
Medicine, Department of  
Pediatrics

Rachel Novotny,  
PhD, RDN, LD  
University of Hawaii at Manoa,  
College of Tropical Agriculture  
and Human Resources

Garret Sugai  
Kaiser Permanente

Catherine Taschner, JD  
McCorriston Miller Mukai  
MacKinnon LLP

Date: February 12, 2020

To: Representative Chris Lee Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Members of the House Committee on Judiciary

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

Hrg: February 13, 2020 at 2:05 PM at Conference Room 325

---

The Obesity Prevention Task Force of the Hawai'i Public Health Institute<sup>i</sup> is in **Support of HB 1676 HD1**, which would establish a three year red light camera pilot program at designated intersections in the City and County of Honolulu. It would also create a special account in the general fund and the proceeds from the fines would be used for the operation of the pilot program.

HIPHI supports all efforts to improve the built environment to make our roads safer for all users. Red light and speeding enforcement cameras can be helpful enforcement tools to deter these behaviors and reduce traffic crashes, injuries and fatalities.

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%<sup>ii</sup> and reduce the most serious crashes that are most likely to result in serious injury or death<sup>iii</sup>.

Increasing road safety for all users is critical to achieving Vision Zero and encouraging active transportation such as walking and biking. We support efforts to promote and improve safety and mobility for all residents, and ask to pass HB 1676 HD1 out of committee.

Thank you for the opportunity to provide testimony.

Mahalo,

A handwritten signature in black ink that reads 'Jessica Yamauchi'.

Jessica Yamauchi, MA  
Executive Director

---

<sup>i</sup> 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.

<sup>ii</sup> 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)

<sup>iii</sup> 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/>



**LATE**

February 12, 2020

## Testimony in Support of HB1676HD1 Relating to Highway Safety

Aloha Chair Lee, Vice Chair San Buenaventura, and esteemed members of the House Committee on Judiciary:

Hawaii Bicycling League **supports with amendments** House Bill 1676HD1 which establishes a 3-year pilot program for photo red light imaging detector systems. The overall intent to establish a pilot program is commendable. Last session the legislature determined that red light running is dangerous, and that red light cameras reduce red light running, crashes, injuries, and deaths.

Act 131 (2019) established a red light running committee to develop policy recommendations for a red light running pilot program. This red light committee included **all** county police, transportation/public works, and prosecutors; state transportation department, judiciary, and public defenders; and non-profit advocates from the Hawaii Bicycling League, MADD, AAA Hawaii, and a staff member of the Portland Bureau of Transportation. The red light committee reached agreement on the report recommendations.

[https://www.capitol.hawaii.gov/session2020/bills/DC250\\_.pdf](https://www.capitol.hawaii.gov/session2020/bills/DC250_.pdf).

The report represents best practices in red light running photo enforcement as considered by government agencies who would implement the red light program.

HB1676 moves in the right direction, but should be amended so that it will operate clearly and without ambiguity, following best practices of other states.

### **Do not require photographs of the driver.**

20 of 23 states that use red light cameras only require photographs of the vehicle license plate and some specifically prohibit driver photographs. By making it clear that the vehicle poses a danger by running a red light regardless of who the operator is, and making the registered owner liable, those in control of the vehicle (the registered owner) take responsibility for the driver. Exceptions are where the registered owner sells or reports it stolen. Please see the attached law from New York State, where New York City has operated such a system successfully for 25 years. See NYC 2018 report

<https://www1.nyc.gov/html/dot/downloads/pdf/nyc-red-light-camera-program.pdf> Another exception is made for rental owners/lessors who must report the name and address of the renter.

The Honolulu Star-Advertiser also endorsed this approach in its editorial of 2/5/20, page A-10.

**Allow more time to send the ticket, and use first class mail.**

Again, this is best practice. See NYC law. Registered or certified mail is too expensive and can be defeated easily by the recipient just not signing for it. Most states allow between 14-30 days for notices to be sent out; 72-hours is just too short if there is to be an adequate review by a police or government officer prior to sending the ticket out.

**Allow police and city/state transportation officials to decide on pilot program locations based on data.**

Designating the central Honolulu area as a pilot program area is too restrictive for an effective pilot program. It may be one of the sites based on data and police/city judgment, but should not be legislatively prescribed.

**Allow a maximum of three years from start of operations of the cameras for a pilot program, but allow the officials to return for approval to extend the pilot program area sooner.**

Realistically it will take 6-12 months to start cameras operating if proper procurement, data analysis, and training is to occur. The pilot program clock should start when the first camera starts operation. On the flip side, if the pilot is working, allow the city/state to return sooner than 3 years for authorization to extend the program to more areas.

Hawaii Bicycling League has spent ten years doing research, has visited red light camera operations in California and New York, and has been a part of the national Vision Zero coalition where this issue is widely covered.

**Please consider amending this bill.**

Ride and Drive Aloha,



Daniel Alexander  
Co-Executive Director  
Hawaii Bicycling League  
808-275-6717, [Daniel@hbl.org](mailto:Daniel@hbl.org)



Chad Taniguchi  
Director Emeritus  
Hawaii Bicycling League  
808-255-8271, [chad@hbl.org](mailto:chad@hbl.org)

New York State laws <https://www.nysenate.gov/legislation/laws/VAT/T7A24>

New York State law authorizing New York City, with details <https://www.nysenate.gov/legislation/laws/VAT/1111-A> We only attached the relevant sections below.

# Section 1111-A

Owner liability for failure of operator to comply with traffic-control indications

---

Owner liability for failure of operator to comply with traffic-control indications. (a) 1. Notwithstanding any other provision of law, each city with a population of one million or more is hereby authorized and empowered to adopt and amend a local law or ordinance establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in such city in accordance with the provisions of this section. Such demonstration program shall empower a city to install and operate traffic-control signal photo violation-monitoring devices at no more than one hundred fifty intersections within such city at any one time.

2. Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle. Provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle,

provided that such city has made a reasonable effort to comply with the provisions of this paragraph.

(b) In any city which has adopted a local law or ordinance pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (d) of section eleven hundred eleven of this article, and such violation is evidenced by information obtained from a traffic-control signal photo violation-monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (d) of section eleven hundred eleven of this article.

(c) For purposes of this section, "owner" shall have the meaning provided in article two-B of this chapter. For purposes of this section, "traffic-control signal photo violation-monitoring system" shall mean a vehicle sensor installed to work in conjunction with a traffic-control signal which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in violation of subdivision (d) of section eleven hundred eleven of this article.

(d) A certificate, sworn to or affirmed by a technician employed by the city in which the charged violation occurred, or a facsimile thereof,

based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a traffic-control signal photo violation-monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation pursuant to a local law or ordinance adopted pursuant to this section.

(e) An owner liable for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to a local law or ordinance adopted pursuant to this section shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be set forth in such local law or ordinance, except that in a city which, by local law, has authorized the adjudication of such owner liability by a parking violations bureau, such schedule shall be promulgated by such bureau. The liability of the owner pursuant to this section shall not exceed fifty dollars for each violation; provided, however, that such local law or ordinance may provide for an additional penalty not in excess of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period.

(f) An imposition of liability under a local law or ordinance adopted pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon



whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

(g) 1. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

2. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation and the identification number of the camera which recorded the violation or other document locator number.

3. The notice of liability shall contain information advising the person charged of the manner and the time in which he may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

4. The notice of liability shall be prepared and mailed by the city having jurisdiction over the intersection where the violation occurred, or by any other entity authorized by the city to prepare and mail such notification of violation.

(h) Adjudication of the liability imposed upon owners by this section shall be by a traffic violations bureau established pursuant to section three hundred seventy of the general municipal law or, if there be none, by the court having jurisdiction over traffic infractions, except that any city which has established an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations may, by local law, authorize such adjudication by such tribunal.

(i) If an owner receives a notice of liability pursuant to this section for any time period during which the vehicle was reported to the police department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent by first class mail to the traffic violations bureau, court having jurisdiction or parking violations bureau.

(j) 1. In a city where the adjudication of liability imposed upon owners pursuant to this section is by a traffic violations bureau or a court having jurisdiction, an owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to subdivision (g) of this section shall not be liable for the violation of subdivision (d) of section eleven hundred eleven of this article, provided that he or she sends to the traffic violations bureau or court having jurisdiction a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty-seven days after receiving notice from the bureau or court of the date and time of such violation, together with the other information contained in the original notice of liability. Failure to send such information within such thirty-seven day time period shall render the owner liable for the penalty prescribed by this section. Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for the violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section and shall be sent a notice of liability pursuant to subdivision (g) of this section.

2. (i) In a city which, by local law, has authorized the adjudication of liability imposed upon owners by this section by a parking violations

bureau, an owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to subdivision (g) of this section shall not be liable for the violation of subdivision (d) of section eleven hundred eleven of this article, provided that:

(A) prior to the violation, the lessor has filed with the bureau in accordance with the provisions of section two hundred thirty-nine of this chapter; and

(B) within thirty-seven days after receiving notice from the bureau of the date and time of a liability, together with the other information contained in the original notice of liability, the lessor submits to the bureau the correct name and address of the lessee of the vehicle identified in the notice of liability at the time of such violation, together with such other additional information contained in the rental, lease or other contract document, as may be reasonably required by the bureau pursuant to regulations that may be promulgated for such purpose.

(ii) Failure to comply with clause (B) of subparagraph (i) of this paragraph shall render the owner liable for the penalty prescribed in this section.

(iii) Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be

subject to liability for such violation pursuant to this section and shall be sent a notice of liability pursuant to subdivision (g) of this section.

(k) 1. If the owner liable for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

2. Notwithstanding any other provision of this section, no owner of a vehicle shall be subject to a monetary fine imposed pursuant to this section if the operator of such vehicle was operating such vehicle without the consent of the owner at the time such operator failed to obey a traffic-control indication. For purposes of this subdivision there shall be a presumption that the operator of such vehicle was operating such vehicle with the consent of the owner at the time such operator failed to obey a traffic-control indication.

(l) Nothing in this section shall be construed to limit the liability of an operator of a vehicle for any violation of subdivision (d) of section eleven hundred eleven of this article.



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

February 13, 2020

**LATE**

### TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

#### House Bill 1676, HD 1 – Relating to Highway Safety

The Disability and Communication Access Board (DCAB) **SUPPORTS** House Bill 1676, HD1. This bill would authorize and provide funding for a three-year pilot program in major arterial zones on state and county highways within a specified area to provide for the implantation of photo red light imaging detector systems to improve traffic enforcement and make the same highways safer for pedestrians to cross.

DCAB adopted guiding principles on the mobility and safety of pedestrians with mobility disabilities that support the following efforts:

- 1) Utilization of technology to assist with improved traffic enforcement to achieve greater pedestrian safety that includes persons with mobility disabilities.
- 2) Implementation of best practices from other jurisdictions around the world.
- 3) Following the principles contained in Complete Streets and Vision Zero.

House Bill 1676, HD1 embodies these principles and DCAB urges your support.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director



Mothers Against Drunk Driving HAWAII  
745 Fort Street, Suite 303  
Honolulu, HI 96813  
Phone (808) 532-6232  
Fax (808) 532-6004  
hi.state@madd.org



February 13, 2020

To: Representative Chris Lee, Chairman, Committee on Judiciary;  
Rep. Joy A. San Buenaventura, Vice Chair; and members of  
the Committee

From: Arkie Koehl and Carol McNamee, Public Policy Committee - MADD  
Hawaii

Re: House Bill 1676 HD 1 – Relating to Highway Safety

---

MADD Hawaii is testifying in strong support of House Bill 1676 HD 1 — Relating to Highway Safety.

Being vitally interested in highway safety, the members of MADD Hawaii endorse measures to protect our citizens by making enforcement of traffic laws more effective. The organization believes that Hawaii's counties should join the hundreds of other communities across the country that are reducing crashes through the implementation of photo red-light detector systems. However, MADD agrees that the appropriate approach for starting the program is to use a pilot project approach in any County or Counties that are willing. Honolulu County is the logical county to participate and others may join the program.

A 2010 comparative analysis of fatal multi-vehicle red-light running crashes (vs crashes not involving red light running) in the U.S. by the Insurance Institute for Highway Safety revealed that the red light runners were more likely to have prior crashes, alcohol-impaired driving convictions, and citations for speeding and other traffic offenses. The red light runners also were more likely to be speeding or impaired by alcohol at the time of the crash and were less likely to have a valid driver's license. This identified alcohol involvement in at least a portion of intersection crashes makes support for this measure a logical - and important - expression of MADD's goal to reduce death and injury caused by impaired driving.



Just as with other highway safety programs conducted in our state, the primary object of the photo red light imaging detection program is to deter potential violators and thereby prevent crashes, injuries, and loss of life. Anyone who travels the roads of Honolulu County sees the blatant disregard for proper stopping at red lights. More and more often we see the potential for horrendous crashes as vehicles speed through intersections long after the signal has turned red. MADD believes that red light detection systems will decrease this problem and prevent innocent road users from being hit by red light runners – whether alcohol and speeding impaired or just impaired by poor judgment.

The Photo Red Light Imaging Detection enforcement tool has received the backing of the National Highway Traffic Safety Administration, which claims the systems have been effective in reducing intersection-related crashes.

As a member of the committee authorized by the 2019 Legislature to further investigate Red Light Cameras for Hawaii and to report back to the 2020 Legislature, MADD can vouch for the excellent research, discussion, and drafting that resulted in the bill you have before you. And, as a person who has known a young foreign student who was severely injured by a red-light runner on Kalanianaʻole Highway a few years ago, I have a personal reason to want red light running cameras installed as soon as possible.

MADD urges the committee to pass HB 1676 HD 1 to start the process of increasing our safety.

**LATE**



February 5, 2020

To: Chair Lee, Vice Chair San Buenaventura, Members of the House Committee on Judiciary

RE: **Support** for HB1676 HD1

Thank you for this opportunity to testify in **SUPPORT** of HB1676 HD1 and for helping to promote policies and practices aimed at making our streets safer. Blue Zones Project was brought to Hawaii by HMSA to help increase the overall well-being of our communities and to make Hawaii a healthier, happier place to live, work, and play. To accomplish that goal, we support opportunities to lower obesity rates, tobacco use, and chronic disease prevalence.

Red light and speeding enforcement cameras can have a significant impact on deterring negative driver behavior, lowering speeds, and reducing traffic crashes, thereby encouraging active transportation, such as walking and biking. In addition, HB1676 HD1 supports effective traffic safety programs that benefit all users of the road, regardless of their preferred mode of transportation. A red light imaging detector system program also aligns with the goals and strategies of Vision Zero, which we know has had great success around the world.

After implementing Vision Zero and installing a red light camera program in 2014, New York City benefitted from four consecutive years of declining traffic fatalities between 2013 and 2017, with 2017 being the safest year on record with a 28% decline in traffic fatalities and a 45% decline in pedestrian deaths.<sup>1</sup> A study by the Insurance Institute for Highway Safety (IIHS) in Arlington, Virginia also found significant reductions in red light violations at camera intersections one year after ticketing began.<sup>2</sup> Similar results were found in Chicago; vehicle crashes declined by 10 percent and angle injury crashes by 19 percent at intersections where a red light camera system was installed.<sup>3</sup>

As we work towards our goal of zero traffic fatalities, we must continue to support engineering, education, enforcement, equity, evaluation and policy efforts backed by data, which is why we ask for your support for HB1676 HD1.

Thank you for this opportunity to testify,

A handwritten signature in black ink, appearing to read "Colby Takeda".

Colby Takeda, MBA, MPH  
Senior Manager

---

<sup>1</sup> City of New York. Vision Zero: Mayor de Blasio Announces Pedestrian Fatalities Dropped 32% Last Year, Making 2017 Safest Year on Record. January 8, 2018

<sup>2</sup> McCartt, A. T. & hu, W. (2014) Effects of red light camera enforcement on red light violations in Arlington County, Virginia. *Journal of Safety Research*.

<sup>3</sup> Mahmassani, H. S., et al. (2017). Chicago Red Light Camera Enforcement: Best Practices & Program Road Map. *Northwestern University Transportation Center*.

Brought to  
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association



**LATE**

Date: February 13, 2020

To: Chris Lee, Chair  
Joy A. San Buenaventura, Vice Chair  
Honorable Members of the House Committee on Judiciary

Re: Support for HB1676 HD1 Relating to Highway Safety

Hrg: February 13, 2020 at 2:05pm in Conference Room 325

The Maui MPO Policy Board is in **support of HB1676 HD1** to establish a three-year photo red light imaging detector system pilot program, and authorize any impacted county to administer the program. The bill establishes a photo red light imaging detector systems pilot program account as a special account within the general fund, and requires proceeds of fines expended in the county from which they were collected for operation of the photo red light imaging detector system pilot program. The bill appropriates funds and sunsets 6/30/2023.

Red light running happens frequently and is often deadly. Over half of people killed by red light running are pedestrians, bicyclists and people in other vehicles<sup>1</sup>. A red light camera pilot program would improve enforcement capabilities to discourage drivers from running red lights. Automated enforcement is a long-standing priority of the Hawai'i Strategic Highway Safety Plan.

Following a record 22 traffic fatalities on Maui roads in 2019, the county is taking action to prevent further loss of life. Following a County Council resolution and Mayor's proclamation in support of road safety, Maui MPO is working to develop a Vision Zero Action Plan to eliminate traffic fatalities and serious injuries through education, engineering and enforcement. This measure is consistent with Maui's Vision Zero efforts.

Please support HB1676 HD1 to improve safety on Hawai'i's roads.

---

<sup>1</sup> Insurance Institute on Highway Safety, accessed online at: [www.iihs.org/iihs/topics/t/red-light-running/qanda](http://www.iihs.org/iihs/topics/t/red-light-running/qanda)

**HB-1676-HD-1**

Submitted on: 2/11/2020 2:01:21 PM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karen Tessier	Individual	Support	No

Comments:

**HB-1676-HD-1**

Submitted on: 2/11/2020 2:05:30 PM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ellen Godbey Carson	Individual	Support	No

Comments:

I strongly support this bill and request its passage. It's tragic when our community suffers needless deaths and injury because someone has run a red-light. The police cannot stand at every intersection to encourage enforcement. This bill is a step in the right direction. Let's use technology to help us identify those who run stop lights, and impose fines each time, so that everyone learns red means stop, do not proceed. We can save lives, and hopefully generate some funds for the counties for much needed government services as well.

**HB-1676-HD-1**

Submitted on: 2/11/2020 2:19:27 PM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

I **strongly support** the passage of HB 1676, HD 1 that will establish a three-year photo red light imaging detector system pilot program statewide. Drivers going through red lights have become common on the streets and intersections, and it is against the law. This has become too prevalent and the outcome has been near misses of pedestrians and other cars, an increase in injuries and deaths of pedestrians and other drivers, and a disregard of the traffic laws. This has got to stop.

I welcome this pilot program to begin as soon as possible with a comprehensive informational and educational campaign to precede it. Thank you for proposing this bill during this legislative session.

**HB-1676-HD-1**

Submitted on: 2/11/2020 11:58:48 PM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Chong	Individual	Support	No

Comments:

Regarding the red light camera bill HB 1676, I walk to and from work every night, and over the last year and a half, on 4 separate occasions, I've seen cars go through red lights as I was walking towards the intersections. They weren't driving along and then went through a red light. No, they were actually stopped at the intersection, looked both ways and then went through the intersection before I crossed them. My light was green, so I know their light was red. The first time was at the Punahou/Wilder intersection after midnight--it was a white Mercedes and I heard them laughing as they crossed the intersection. The second time it happened right on my street--Kewalo Street. I was coming home from Safeway at around 1 am. I walked up Piikoi, then turned right on Wilder Avenue and I was walking on the mauka side of Wilder, and a black car pointing makai that was stopped at the Kewalo/Wilder intersection went straight through. Then only a few days later, at around 1 am, another stopped car that was pointing mauka at the corner of LihoLiho Street/Wilder turned left against the red light, right in front of me, as I was entering the crosswalk. That stuff gets me angry, I was ready to whack his car with my umbrella as he was passing by. And a few weeks ago, at the corner of Kaheka/Kanunu (the backside of Don Quijote), a stopped car went through the red light just before I entered the crosswalk.

In my whole life here, I've never seen it this bad before, with people blatantly disregarding the law. I've become gun shy, because late at night, when I'm crossing the intersection by myself and a car is stopped against the red light, I get this creepy feeling when I walk in front of them, having seen so many cars go right through the red light. If they're used to going through red lights and I'm not wearing something bright colored, they might not see me and go right through the red light. In fact, late at night, I just wait until there are no cars at all, and then cross, because I don't trust the traffic lights anymore.

Please get this to pass this session. If drivers know they can get a ticket from a traffic cam, it will stop this behavior. Also, compounding this is a recent trend of cars driving at night without their headlights on. I don't know if it's a "cool" thing to do for younger

drivers nowadays, but combine driving without headlights with going through red lights, and you can see how dangerous our roads are becoming.

Sincerely,

David Chong



**HB-1676-HD-1**

Submitted on: 2/12/2020 12:50:35 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

**HB-1676-HD-1**

Submitted on: 2/12/2020 7:48:04 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dory Kong	Individual	Support	No

Comments:

**HB-1676-HD-1**

Submitted on: 2/12/2020 9:51:46 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristin Mills	Individual	Support	No

Comments:

As a resident on Maui, I see many people run red lights. There are also way too many pedestrian fatalities on Maui. As a parent of a just turned 16 year old learning to drive, one of the main lessons I needed to teach him is NOT to start driving when the light turns green. That he needs to look first and make sure there aren't any cars running the red light. This is not right! People don't run red lights because they are afraid of being rear ended if they stop. They run them because they are in a hurry and they have learned that they CAN run the red light without implication.

The cameras that catch people who run red lights will (1) encourage people to NOT run red lights; and witll (2) catch and ticket those who still do. And long term positive outcomes can include cutting down on serious and fatal injuries. I am in full support of HB1676, as a parent, a resident who drives, and as health educator for the State of Hawaii Dept. of Health.

COMMITTEE ON JUDICIARY

Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Re: House Bill No. 1676, H.D.1 -- Relating to Highway Safety

Thursday, February 13, 2020  
Hawaii State Capitol, Conference Room 325  
2:05 p.m.

HONORABLE CHAIR, HONORABLE VICE CHAIR, AND MEMBERS OF  
THE COMMITTEE:

I am not against any highway safety measures but I believe the traffic cameras are overrated. Punishing all drivers due to the few red light violators is an overkill and not the answer to this State's financial shortfalls. This is just another stressor drivers will be forced to deal with. I believe tourists will not appreciate intersection cameras ruining their visit to Hawaii.

If the supporters of the intersection cameras set aside their one-sided opinions based on questionable claims on a Bill and do their own fair research, they'll find news reports prove pedestrian deaths are happening away from intersections that red light cameras are useless to prevent.

If you want to change death to life, add mid-block crosswalks, repaint crosswalks, add high visibility signs to warn drivers of an upcoming crosswalk and install pedestrian activated caution or stop lights crosswalks like the ones on Palolo Avenue adjacent to the Community Center Swimming Pool and on King Street adjacent to Times

Supermarket. If government can spend billions on the luxury of the rail, why can't you spend on the above suggestions?

The legislative Bills that support this form of the "eye in the sky" on a pole will open the Pandora's box negatively impacting our civil liberties and start cameras watching us, like it or not. Public be warned a few cameras will become many; all it takes is a foot in the door.

Camera Bills try to get support for the eye in the sky intersection cameras by baiting the hook with lower insurance costs. Be honest with yourself and us. When did you ever hear of any insurance company lowering their charges for any reason, allowing all their customers to use O.E.M. replacement parts, giving you the dividends you deserve or giving you what you deserve to replace the car they totaled because fixing it costs the insurance companies too much? Do they ever give you enough money to buy another car like you had? I believe you will find that the insurance companies' car ratings are based on Mainland cars, not the inflated cost of cars and car parts in Hawaii.

From the past to date, the public and police accept and support the stop light enforcement which does not punish the driver who enters the intersection on the yellow light in spite of the yellow light turning red with the vehicle still over the crosswalk at the entrance to the intersection. This well established, accepted, fair and safe for commercial drivers driving (CDL) vehicles especially buses, all of who are unable to stop short like cars.

I suggest to maximize public acceptance you should have the intersection stop light camera system mimic this long accepted function by eliminating any mid-intersection sensors and allowing safe passage for anyone entering the intersection prior to the red light in spite of the vehicle's rear end over the first crosswalk sensor when the red light is activated. CDL drivers trying to panic stop will cause jackknifing, spilling the heavy loads they carry. The nature of busses will cause personal injuries or death to passengers tumbling forward on a panic stop. How lenient will the insurance companies be to a bus driver who injures passengers with panic stops and run red lights to avoid injuries? Once a long CDL vehicle/busses approaches close to an intersection they are committed to cross it.

Being a former licensed commercial driver for 26 years, I cared enough to do my own research and observed the length of time the caution lights are on at various intersections during all conditions of traffic, I found the timings are all inconsistent and activated for too short of a time. My research showed increasing the timing of the yellow lights by no less than ten (10) seconds activated is the solution to running red lights and needed to provide fair, safe exit for CDL drivers and their long vehicles.

I look forward to your support.

Respectfully submitted,

Milton Imada

**LATE**

**HB-1676-HD-1**

Submitted on: 2/12/2020 8:49:43 PM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Fukuzawa	Individual	Oppose	No

Comments:

Dear Honorable Legislative Representative,

I oppose the bill regarding the red light camera pilot program. I do not believe this will prevent people from running red lights and reducing pedestrian accidents. We could put our money and resources to better use than this program. It would be better to use the money to fund more police officers around the state of Hawaii.

Thank you,

David Fukuzawa

**LATE**

**HB-1676-HD-1**

Submitted on: 2/13/2020 8:07:33 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kari Benes	Individual	Support	No

Comments:



**HB-1676-HD-1**

Submitted on: 2/13/2020 9:28:47 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Royce Fukuroku	Individual	Support	No

Comments:

**HB-1676-HD-1**

Submitted on: 2/13/2020 9:29:34 AM

Testimony for JUD on 2/13/2020 2:05:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Molly Mamaril	Individual	Support	No

Comments:

Aloha -

My name is Molly Mamaril and I am writing in support of the three-year photo red light imaging detector system pilot program. I live in Makiki and have been a pedestrian in multiple near-crash situations in my neighborhood and near the University of Hawai'i where I was a student. This measure would help us align with our state's Vision Zero goal. Please implement for the safety of all who use the roads.

Mahalo nui,

Molly Mamaril

**HB-1676-HD-1**

Submitted on: 2/13/2020 11:51:59 AM

Testimony for JUD on 2/13/2020 2:05:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Randy Ching	Individual	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura, and members of the committee,

I support HB1676 HD1. We need to slow down drivers speeding through intersections, especially after the signal has turned red. This is a very dangerous situation for pedestrians and cyclists, not to mention other drivers. The red light cameras will slow down speeders trying to beat the light change. Then our roads will be safer. Perhaps someday drivers will treat every intersection like a 4-way stop. Then pedestrians and cyclists will be much safer.

Please pass HB1676 HD1. Mahalo for the opportunity to testify.

Randy Ching

Honolulu

**HB-1676-HD-1**

Submitted on: 2/13/2020 1:43:33 PM

Testimony for JUD on 2/13/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Chang	Individual	Support	Yes

Comments:

Aloha Members of the House Judiciary Committee

Repeating testimony from Hawaii Bicycling League:

- **"Red light running is dangerous** for people that walk, bike, and drive — in the US in 2014, red light running was a factor in 710 deaths, including 44 bicycle and pedestrian deaths . Hawaii DOT's analysis found 13 people were killed by red light running in the last 8 years (2011-18).
- Red Light Enforcement Cameras **reduce crashes & injuries** – a summary of studies found they reduce crashes at signalized intersections by 25-30%
- Red Light Enforcement Cameras **reduce the most serious crashes** – while some studies have found that red light cameras slightly increase rear-end collisions, the evidence is consistent that they significantly reduce “angle” (aka T-bone) crashes which are most likely to result in serious injury or death
- Red Light Enforcement Cameras **save lives** – a study of red light enforcement cameras in the US estimated that by 2014 they had saved nearly 1,300 lives"

Anthony Chang  
1245 Maunakea St. #2310  
Honolulu, HI 96817

**JUDtestimony**



**From:** Raymond Tabata <tabata@hawaii.edu>  
**Sent:** Thursday, February 13, 2020 1:45 PM  
**To:** JUDtestimony  
**Subject:** HB1676HD1 TESTIMONY

Dear Rep. San Buenaventura,

I apologize for this late submission, but I was running around all day with visitors from Japan. I am not able to testify in person at today's hearing regarding HB 1676, HD1.

Briefly, we are long overdue for red light cameras at busy or high-risk intersections. I strongly support the intent of the bill because I witness drivers running red lights at least once each day when I'm out driving, walking or bicycling. Such violations are very dangerous because T-bone collisions can be fatal for someone in the intersection or crosswalk.

If there's a way, I would also like to ban right hand turns on a red light, as allowed at most intersections with traffic lights. It is a hazardous maneuver as a driver about to turn right has to watch for pedestrians and oncoming traffic. By banning such turns, drivers would have to come to a complete stop and wait for a green light to proceed. I've been almost run down by drivers turning right on red as they speed through to beat oncoming traffic, if any.

Thank you very much.

Aloha,

Ray

Ray Tabata  
Honolulu, Hawaii 96822  
[tabata@hawaii.edu](mailto:tabata@hawaii.edu)  
(808) 754-0563

><(((e>,.~`~.. ><(((e>`~..~`~..><(((e>