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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

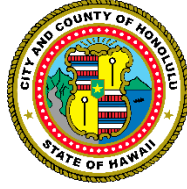
the risk of wrongfully issued citations and minimize the number of contested hearings. In the city of Virginia Beach, Virginia, where the police review each photograph, 58% of total violations captured by the cameras in 2010 were thrown out. 30.32% of the total captured violations were dismissed because 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

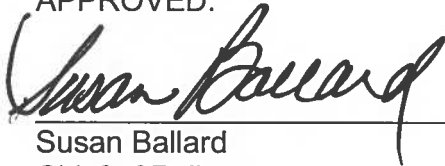
Thank you for the opportunity to testify.

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

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Mission

To safely connect
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Serving
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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/>



Kauai Path, Inc. :: P. O. Box 81 :: Lihue, HI 96766
phone 808.639.1018 :: fax 808.822.5075
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news@kauaipath.org

a registered 501 (C) 3 non-profit, EIN 27-3343903

June 30, 2020

JOINT HEARING OF SENATE COMMITTEE ON JUDICIARY and WAYS AND MEANS

Subject: Testimony in Support of HB 1676 — HD1, SD1 Relating to Highway Safety

Aloha Senators,

Kauai Path is an educational non-profit advocating for multi-modal transportation improvements on Kauai, in Hawaii, and in the US.

Kauai Path supports the intent of HB 1676, establishing a pilot program for photo red-light imaging detector systems.

Beneficial by-products of the travel restrictions imposed during this COVID-19 pandemic—greatly reduced severity of crashes, fewer pedestrian injuries, and a drop in traffic-related fatalities—is a glimpse of how wonderful safe streets can be.

The time for a solid red-light camera bill is NOW before traffic returns with some drivers driving dangerously. We want preventative solutions.

The Hawaii State Department of Transportation, the Prosecutors, HPD, and the City agree that **license plate only photos** are the way to go, and they agree on best practices for operational principles.

While only the City and County of Honolulu has expressed a desire to use red-light cameras right now, the other counties will wait and see the outcomes if Honolulu implements the trial period. It is important to give all counties the ability NOW, in this bill, to use red-light cameras at the point in time when each county administration and county council feels it can help the county protect its residents.

Please enable our appointed officials to adopt best practices as recommended by AAA, the city of Portland Oregon, and New York City. Under our Department of Transportation's leadership statewide prosecutors, police departments and counties can unite behind this bill.

Thank you for your attention to this testimony in support of HB 1676.

Sincerely,

/s Tommy Noyes, Executive Director, Kauai Path, Inc.

Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-motorized multi-use paths.

June 30, 2020

To: Chair Rhoads
Vice Chair Keohokalole
Senate Committee on Judiciary

Chair Dela Cruz
Vice Chair Keith-Agaran
Senate Committee on Ways and Means

RE: **Support** for HB1676 HD1, SD1

Thank you for this opportunity to testify in **SUPPORT** of HB1676 HD1, SD1 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.¹ 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.² 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.³

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, SD1. We also support an amendment that this program only uses licence plate photos.

Thank you for this opportunity to testify,

Colby Takeda, MBA, MPH
Senior Manager

¹ 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

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

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

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June 30, 2020

Testimony in Support of HB1676SD1 Red light cameras

Aloha Chairs Dela Cruz and Rhoads, and esteemed members of the Ways & Means and Judiciary Committees:

HBL would like to join many others in appreciating the life of Senator Breene Harimoto. He was kind, understanding, ethical, and strong in his beliefs. He did what was right, no matter what. We ask that his spirit and legacy guide all our actions.

Hawaii Bicycling League supports HB1676SD1, and asks your committees to take to heart and incorporate in SD2 the recommendations submitted by DOT. DOT has shown extraordinary leadership in getting the police departments, prosecutors, and counties statewide to support red light cameras in a way that is acceptable to the implementing agencies. Mahalo to Ed Sniffen and his team, the Prosecutors, the Police Departments, and the Counties statewide for uniting behind the DOT.

- Covid's silver lining showed us how wonderful safe streets can be, with greatly reduced crashes, injuries and deaths.
- The time for a solid red light camera bill is NOW before traffic returns with some drivers driving dangerously. We want preventive solutions.
- DOT, the Prosecutors, HPD, and the City agree that **license plate only photos** are the way to go. They agree on best practice operational principles as noted in DOT's recommendations..
- Only Honolulu has expressed a desire to use red light cameras right now. The other counties are willing to wait until Honolulu tries it. But it is important to give all counties the ability NOW, in this bill, to use red light cameras at the point in time when each county administration and county council feels it can help the county protect its residents.

Please pass a solid red light camera enabling bill this session for Governor Ige's signature.

Envision Safe Streets,

Chad Taniguchi
on behalf of the Hawaii Bicycling League
3442 Waialae Ave #1, Honolulu, HI 96816
808-255-8271, chad@hbl.org



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

July 2, 2020

To: Senator Karl Rhoads, Chair –Senate Committee on Judiciary; Senator Jarrett Keohokalole, Vice Chair; and members of the committee

Senator Donovan M. Dela Cruz, Chair – Senate Chair on Ways and Means; Senator Gilbert S.C. Keith-Agaran, Vice Chair; and members of the committee

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

Re: House Bill 1676, HD1, SD1 – Relating to Highway Safety

MADD Hawaii is testifying in strong support of House Bill 1676, HD1,SD1 *Relating to Highway Safety*. As a member of the Red Light Camera Committee, MADD is in support of recommendations that have been proposed by Committee members including the clarification that the program will require photos of the vehicle's license plate only – NOT the vehicle's driver. This reflects the recommendations of the Committee based on its research conducted during the last year.

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. MADD sees too many tragic crashes and too many grieving families. We believe that the red-light camera program could be an important way of reducing death and injury on Hawaii roads.

MADD urges the committee to pass HB 1676, HD1, SD1. Thank you for the opportunity to testify.

HB-1676-SD-1

Submitted on: 6/30/2020 11:53:59 AM

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

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

Comments:

I oppose this bill, the money for this new System should be used for systems already in place and fund those programs that need it

HB-1676-SD-1

Submitted on: 6/30/2020 2:45:41 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Mills	Individual	Support	No

Comments:

I am in support of HB 1676. As a health educator and a parent on Maui teaching my 16 year old how to drive, I am in support of this bill. I see many people run red lights on Maui. 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 or because there isn't enough time to stop. They run them because they are speeding, are in a hurry, and they have learned that they CAN run the red light without implication.

As a youth, I was hit head on by a person running a red light. I am lucky to be alive. My kids and other kids deserve more than pure luck. Please install red light cameras so we can increase our roadway safety.

The cameras that catch people who run red lights will (1) encourage people to NOT run red lights; and will (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.

HB-1676-SD-1

Submitted on: 6/30/2020 3:03:53 PM

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

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

Comments:

I write to urge the passage of this bill for a red light camera pilot program that will ultimately result in a permanent red light camera system. This pilot should only require the photographing of the license plates.

I witness red light runners everyday during my commute at Lunalilo and Pensacola. I fear one day to witness a collision there as a result. Please pass this bill for the safety of drivers, bus riders, pedestrians, and cyclists.

Randolph G. Moore
2445-A Makiki Heights Drive
Honolulu Hawaii 96822

Telephone (808) 778-8832

email makikimoore@gmail.com

June 30, 2020

The Honorable Karl Rhoads, Chair, Committee on Transportation
The Honorable Donovan M. Dela Cruz, Chair, Committee on Ways and Means
and members of the Committees
The Senate
State Capitol
Honolulu, Hawaii

Dear Senators Rhoads and Dela Cruz and members of the Committees:

Subject: HB 1676 HD 1 SD 1 (relating to highway safety – photo red light imaging)

I encourage your support of this bill, for all the reasons stated in Section 1 of the bill.

I am a regular bicyclist. I witness on a **daily** basis a number of motor vehicle red light runners. No longer is it sufficient to wait at an intersection for a red light to turn green before proceeding. Now, you must look in both directions after the light in your direction has turned green to make sure no crazy driver is speeding through a red light and may hit you.

I suggest for early installation photo red light imaging detection systems at the intersections of Lunalilo and Pensacola Streets and St. Louis Drive and Waiialae Avenue.

Enacting this bill, to be effective as soon as practicable, would make the roads safer for bicyclists, pedestrians, and motorists.

This bill is not about punishing motorists who run red lights. It is about changing behavior so that motorists do not run red lights. Ideally, the red light cameras will not “catch” anyone, because drivers will hereafter behave appropriately and there will not be any to “catch.”

Mahalo for your consideration.

HB-1676-SD-1

Submitted on: 6/30/2020 3:11:13 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Chang	Individual	Support	No

Comments:

Aloha Chairs Rhoads and Dela Cruz and Members of the Senate Committee on the Judiciary and the Senate Committee on Ways and Means

7 years ago my sister Emelia Hung died crossing the street.. and studies show many traffic deaths are preventable. Hawaii has one of the highest rates of traffic law violations according to a recent study shown.

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"

I stand in **strong support for PHOTOS OF LICENSE PLATE ONLY, not photos of drivers.** This is the best practice of 21 of 23 states that use red light cameras. More efficient, less intrusive, and enforceable.

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

HB-1676-SD-1

Submitted on: 6/30/2020 3:19:30 PM

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

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

Comments:

As a cyclist and pedestrian residing in Honolulu , Hawaii , I support this bill to make our city a safer place to live .

HB-1676-SD-1

Submitted on: 6/30/2020 3:29:43 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly Hudik	Individual	Support	No

Comments:

Please consider adopting this measure as a way to keep pedestrians, cyclists and other motorists safe on the roads. There is a chronic problem on the Big Island of motorists running red lights. With this bill, hopefully it will cut down on this deadly habit.

HB-1676-SD-1

Submitted on: 6/30/2020 3:36:18 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Takamura	Individual	Support	No

Comments:

I strongly support HB 1676 because it will help to keep our streets safer and save lives, particularly of our kupuna and disabled pedestrians.

Carl Takamura

HB-1676-SD-1

Submitted on: 6/30/2020 3:49:05 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon	Individual	Support	No

Comments:

Legislators:

I support any and all modalities for red light enforcement. This is critically important. As a paramedic, I have responded to numerous critical and fatal injuries directly related to red light running. As someone with graduate training in injury prevention, I know that consistent enforcement is key to changing what has become a lax attitude towards traffic signals. As a father of bicycling children and a bike commuter myself, my family and I are routinely and unnecessarily exposed to the risks from red light running and other dangerous driving behaviors.

Thank you for your consideration and implementation.

Sincerely,

David Kingdon, MPH, Paramedic

HB-1676-SD-1

Submitted on: 6/30/2020 3:51:51 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Moses	Individual	Support	No

Comments:

As a member of HBL and a frequent pedestrian I support this bill, and other constructive measures, to make our streets safer for everyone, including drivers. Mahalo.

HB-1676-SD-1

Submitted on: 6/30/2020 4:03:18 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Dabney Gough	Individual	Support	No

Comments:

Aloha,

I'm writing in support of the red light camera bill currently being considered. As a cyclist and pedestrian (and occasional driver), I see firsthand the many near misses and close calls that come as a result of vehicles running red lights. A red light camera law, with appropriate enforcement, will help reduce reckless driving that endangers pedestrians, cyclists, and other drivers. It would make the streets safer for all.

I thank you for your support of this bill.

Sincerely,

Dabney Gough

Kapahulu/Diamond Head

HB-1676-SD-1

Submitted on: 6/30/2020 4:09:06 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff McDevitt	Individual	Support	No

Comments:

Dear Legislators, as one who has commuted on a bicycle or scooter almost universally for the last 20 years on the Island of Hawaii, I can tell you that intersections are an especially scary place for me. Making intersections safer would be a big step towards encouraging Hawaii residents to embrace alternative sources of transportation for work/shopping as electric assist bikes become more popular in the future. I presently use one and can tell you that they really do take the suffering out of bicycle riding. I realize that there will be a public outcry against this bill, but can you expect folks to take up bicycling for these activities without making our roads safer. We are moving in this direction with the wonderful Vision Zero initiative at present time and this would complement that. For those who would argue that it violates their personal freedom in any way, that is just a plain selfish attitude. Thank you for your consideration.

HB-1676-SD-1

Submitted on: 6/30/2020 4:18:02 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments:

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and members of the committees.

I support HB1676 -- the red light camera bill. It will slow down speeding drivers and save lives. Please pass this bill. Mahalo for your consideration.

Randy Ching

Honolulu

HB-1676-SD-1

Submitted on: 6/30/2020 5:01:13 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kathryn Weldon	Individual	Support	No

Comments:

I support the passage of HB1676 enabling the installation of red light cameras. I also support the photography of only the license plates and not the drivers. .

I have had first hand experience in being in a very dangerous situation at the intersection of Beretania and Nuuanu. On three separate occasions, I was nearly hit by a car that was running the light on Beretania St.

Please pass this very important life saving bill this session. .

HB-1676-SD-1

Submitted on: 6/30/2020 8:22:09 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Randolph Slaton	Individual	Support	No

Comments:

While I'm not sure what logic might exist for not passing this bill (privacy? "unfairness"?), given the dramatic increase in traffic density on Oahu (60% or more registered vehicles on the same general infrastructure as 50 years ago, per C&C Honolulu registered vehicles data), and the less statistical but not deniable drop in social responsibility among drivers, trying to protect citizens driving and walking should be the responsibility of the Legislature, not the Legislature looking for some reason not to pass this bill.

Please protect our families, our selves, other citizens and our community. Pass this bill!

HB-1676-SD-1

Submitted on: 6/30/2020 8:38:21 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Hanna	Individual	Support	No

Comments:

Aloha! Please, please, please pass a red light camera bill that incorporates best practice as suggested by DOT, and that can be presented to Governor Ige this term for his signature. As a cyclist and pedestrian, I have nearly been hit numerous times by drivers failing to stop when turning right on red, or simply running red lights. And as a driver, there is always the temptation to hurry, and the presence of cameras will be an extremely effective deterrent. This is a huge opportunity to make Hawaii's roads safer for all users! Please take advantage of the progress that has been achieved to date, and go all the way to the finish line!

HB-1676-SD-1

Submitted on: 6/30/2020 8:52:04 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

Hawaii is becomeing a NTAZI STATE!!!

HB-1676-SD-1

Submitted on: 6/30/2020 10:16:12 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Blank	Individual	Support	No

Comments:

I constantly see vehicles running red lights and I can imagine the difficulty of enforcement of the law. We have the technology, right now, to make this dangerous disregard for the law easily and safely enforceable. To not take this step is to not take your work seriously. There are many places in our country that have preceded us to make the difficult challenges well know and manageable.

PLEASE! Do your job to make our streets safer! We are counting on you!

Thank you for caring about this!

Much Aloha!

HB-1676-SD-1

Submitted on: 6/30/2020 10:56:25 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Tabata	Individual	Support	No

Comments:

I support HB1676, which would provide a 3-year red light running pilot program limited to central urban Honolulu. Red light running is dangerous for people that walk, bike, and drive and I have personally witnessed this occur too many times. I request that the program only use license plate photos.

HB-1676-SD-1

Submitted on: 6/30/2020 11:35:11 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
JONATHAN LOTT	Individual	Support	No

Comments:

Aloha members of the committee entrusted with our safety,



With reduced traffic congestion due to the corona virus situation, there are more vehicles speeding and running red lights and stop signs than ever. (More pedestrians and cyclists chancing it at intersections too.). This makes it even more of a no-brainer to have red light camera program. Recent events have underscored the value of "having it on video" so people do the right thing because it's not just God who is watching! I have been watching too. It's just crazy what motorists have been doing running red lights, and pedestrians and cyclists who chance it are risking getting the "DEATH PENALTY." Just do it!

HB-1676-SD-1

Submitted on: 6/30/2020 11:51:56 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Robello	Individual	Support	No

Comments:

To whom it may concern,

I support HB1676 because I believe in safer streets for bicycling, for pedestrians, and for everyone. Red light enforcement cameras will make our intersections (the most dangerous parts of our streets) safer for everyone. I am a pedestrian who walks my neighborhoods while exercising and getting places. Walking and biking is encouraged for a healthy lifestyle, especially during the pandemic. This is why I strongly support HB1676.

Mahalo,

Crystal

HB-1676-SD-1

Submitted on: 7/1/2020 4:49:51 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Massie	Individual	Support	No

Comments:

Aloha Chairs Dela Cruz and Rhoads, and esteemed members of the Ways & Means and Judiciary Committees:

I am a member of the Hawaii Bicycling League; however, I am submitting testimony as an individual because I strongly believe in a red light camera bill and the safety it will provide for bicyclists, pedestrians and motor vehicle drivers.

I support HB1676SD1, and ask your committees to take to heart and incorporate in SD2 the recommendations submitted by DOT. DOT has shown extraordinary leadership in getting the police departments, prosecutors, and counties statewide to support red light cameras in away that is acceptable to the implementing agencies. Mahalo to Ed Sniffen and his team, the Prosecutors, the Police Departments, and the Counties statewide for uniting behind the DOT.

â—• Covid's silver lining showed us how wonderful safe streets can be, with greatly reduced crashes, injuries and deaths. As a former trauma ICU nurse, this is meaningful because lives have been saved and injuries that take months to recover from have been prevented.

â—• The time for a solid red light camera bill is NOW before traffic returns with some drivers driving dangerously. I want preventive solutions not ineffective bills that won't work. I have lived in several jurisdictions on the mainland with red light systems that have made an impact. I am appalled at the vast number of drivers here that run red lights.

â—• DOT, the Prosecutors, HPD, and the City agree that license plate only photos are the way to go. They agree on best practice operational principles as noted in DOT's recommendations. This eliminates fuzzy photos of drivers, people claiming "It wasn't me!" and other issues that could surface with such a program.

â—• Only Honolulu has expressed a desire to use red light cameras right now. The other counties are willing to wait until Honolulu tries it. But it is important to give all counties the ability NOW, in this bill, to use red light cameras at the point in time when each county administration and county council feels it can help the county protect its residents. Help Honolulu lead the way to safety!!!!

Please pass a solid red light camera enabling bill this session for Governor Ige's signature.

I Envision Safe Streets with your help.

Sincerely,

Anne K. Massie, RN, CIC

HB-1676-SD-1

Submitted on: 7/1/2020 8:04:27 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsie Cajka	Individual	Support	No

Comments:

I support this bill. 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 ([source](#)). Hawaii DOT's analysis found 13 people were killed by red light running in the last 8 years (2011-18). Thank you for considering this testimony. Kelsie Cajka

HB-1676-SD-1

Submitted on: 7/1/2020 8:13:04 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Teshima	Individual	Support	No

Comments:

HB-1676-SD-1

Submitted on: 7/1/2020 9:09:46 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Dorothy M Sunio	Individual	Support	No

Comments:

Please support this bill. It is been in the process for too long. So many are running red lights and there is no stopping them unless we get this bill passed

Dottie Sunio

HB-1676-SD-1

Submitted on: 7/1/2020 9:46:56 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Lori McCarney	Individual	Support	No

Comments:

Aloha,

I am writing to express my strong support for this Bill. It is supported by the DOT, Prosecutors, HPD and the City for good reason. As a pedestrian, bicyclist, safe driver, and senior, I feel taking measures to reduce the common practice of running red lights to protect vulnerable people like me is far overdue. Please pass this Bill so it can go to the Governor for signature this year.

Mahalo,

Lori McCarney

HB-1676-SD-1

Submitted on: 7/1/2020 10:13:37 AM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus Howe	Individual	Support	No

Comments:

LATE

HB-1676-SD-1

Submitted on: 7/1/2020 10:31:00 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
jeffrey alameida	Individual	Support	No

Comments:

HB-1676-SD-1

Submitted on: 7/1/2020 2:20:13 PM

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



Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Paulette	Individual	Support	No

Comments:

Aloha Chairs Dela Cruz and Rhoads and members of the Ways & Means and Judiciary Committees: I support HB1676SD1 and ask that you incorporate SD2 recommendations submitted by DOT. The Prosecutors, DOT, HPD, and the City all agree that license plate only photos is the way to go and they agree on best practice operational principles as noted by DOT in their recommendations. All counties have expressed a desire to use the red light cameras with Honolulu being the first to try it and the others joining in after they see the results.

Thank you for the opportunity to submit testimony in support of HB1676SD1 Red Light Cameras.

Theresa Paulette

LATE

HB-1676-SD-1

Submitted on: 7/1/2020 2:34:36 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
John Goody	Individual	Support	No

Comments:

Aloha Senators,

This bill is vital to traffic safety for non-motorized travelers, bicycle riders, pedestrians, and especially Kupuna, who are struck at an inordinate rate on Hawaii's roads. Red light running is rampant around the islands, and imposes a growing danger to those of us who chose to travel under our own power. The health and well being of our kupuna depend on the ability to safely walk about our communities, for exercises or to perform chores. Please support us by passing this measure.

Mahalo Nui,

John Goody

LATE

HB-1676-SD-1

Submitted on: 7/1/2020 2:45:39 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Daphne Manago	Individual	Support	No

Comments:

I am writing in strong SUPPORT of HB1676SD1 which establishes the photo red light imaging detector and support the incorporation of SD2 recommendations submitted by DOT. Please reference Hawaii Bicycling League's testimony.

I've been sign-waving at intersections in our community over the past several weeks and often see vehicles disregarding the traffic signals and speeding through red lights. It's very disturbing to witness and I feel the cameras will make drivers think twice about doing the right thing and obey the laws.

It is my hope that this program will change driving behaviors, eliminate traffic related deaths and most importantly, save lives of pedestrians, cyclists, passengers as well as motorists. My son, Zach, was killed about ten years ago while riding his bicycle and I'm committed to keeping his legacy alive by promoting safety on our streets.

Thank you for the opportunity to submit testimony.

LATE

HB-1676-SD-1

Submitted on: 7/1/2020 3:05:04 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Manago	Individual	Support	No

Comments:

As a bike advocate, and brother of Zachary Manago, a cyclist who passed away in a hit and run, I support safer streets for all. Implementing a red light camera's will be another step forward in doing just that.

LATE

HB-1676-SD-1

Submitted on: 7/1/2020 3:54:40 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Manago	Individual	Support	No

Comments:

Many Drivers are running red lights more than ever! We really need the Red light cameras as a deterrent to these drivers! There are more cars and pedestrian on our streets more than ever and these Red light cameras are needed more than ever! My brother Zachary Manago was killed by a hit and run driver and before his death, he wrote a college term paper on the safety of Oahu streets. By allowing these cameras to be put on our roads, we would honor his vision and save lives! Please allow these cameras to be installed. Thank you! Mike Manago

HB-1676-SD-1

Submitted on: 7/1/2020 3:58:38 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	No

Comments:

Waste of money on something that is unfair.

HB-1676-SD-1

Submitted on: 7/1/2020 6:03:16 PM

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Nikos Leverenz	Individual	Oppose	No

Comments:

Automated policing is not the type of police reform that is needed from the Legislature. For substantial reform [Fair & Just Prosecution has a compelling document featuring a range of needed reforms.](#)

The implementation and administration of red light cameras proved to be a disaster throughout the state of California and are now only used on a very limited basis.

There are few, if any, intersections with traffic lights that require this kind of automated policing, as the Public Defender has noted.

LATE

HB-1676-SD-1

Submitted on: 7/2/2020 6:22:36 AM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Sumner	Individual	Support	No

Comments: