

DAVID Y. IGE  
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CRAIG K. HIRAI  
DIRECTOR  
  
ROBERT YU  
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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 COMMITTEE ON JUDICIARY  
ON  
HOUSE BILL NO. 1377, H.D. 1

**March 16, 2021**  
**9:15 a.m.**  
**Via Videoconference**

RELATING TO CITATIONS

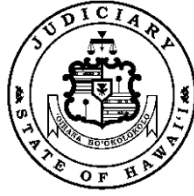
The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1377, H.D. 1.

H.B. No. 1377, H.D. 1, establishes an Electronic Citation Program; a \$5 electronic citation surcharge; and an Electronic Citation Special Fund to be administered by the Judiciary for traffic, misdemeanor, or other citations that are transmitted electronically to the Clerk of the Court. It also requires the Judiciary to adopt rules to establish a formula to distribute the special funds to the respective law enforcement agencies and the Administrative Director to the Courts. This bill also appropriates an unspecified amount of general funds in FY 22 to cover start-up costs for the Electronic Citation Program. If enacted, this measure would be effective from July 1, 2021 and sunset on June 30, 2026.

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. 1377, H.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.



*The Judiciary, State of Hawai'i*

**Testimony to the Thirty-First Legislature, 2021 Regular Session**

**Senate Committee on Judiciary**  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

Tuesday, March 16, 2021, 9:15 a.m.  
VIA VIDEOCONFERENCE

**WRITTEN TESTIMONY ONLY**

By:

Mark M. Santoki  
Acting Deputy Chief Court Administrator  
First Circuit

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**Bill No. and Title:** House Bill No. 1377, H.D. 1, Relating to Citations.

**Purpose:** Creates an electronic citation program under the judiciary and establishes an electronic citation surcharge. Repeals on 6/30/26.

**Judiciary's Position:**

The Judiciary SUPPORTS this measure and provides the following comments.

Currently, the eCitation program is being used by the Maui Police Department and the Honolulu Police Department. The Judiciary has found that eCitations have resolved handwriting legibility issues as driver license and registration are scanned directly into the eCitation and eliminated the need to collect and scan paper citations. Although the program has improved case initiation efficiency, the eCitation program is not yet fully integrated with the Judiciary's Information Management System (JIMS). Once the systems are fully integrated, the Judiciary anticipates that there will no longer be delays in traffic case initiation and the motorist's ability to pay eligible fines/fees online.

Although the Judiciary supports this bill, we respectfully request the following amendment be made to Section 291C-C (d) on page 3, line 11 which shall read as follows: “(d) The judiciary shall adopt rules to implement this section.” We are requesting this amendment because Chapter 91 is not applicable to the judicial branch.

The Judiciary has the following concerns regarding this legislation. Currently only the 1<sup>st</sup> and 2<sup>nd</sup> Circuit traffic divisions are involved with the eCitation pilot program funded by grant funds through the Department of Transportation. Expansion to both the 3<sup>rd</sup> and 5<sup>th</sup> Circuit will likely require additional resources including equipment and personnel. Under the current bill, the Judiciary shall establish a formula to distribute funds to law enforcement agencies. Reoccurring costs to the Judiciary involving the eCitation application will also need to be addressed.

The successful implementation of eCitations statewide will require effective planning, coordination, and communication among the state and county agencies involved. The Judiciary would like to respectfully request that this measure include the establishment of an eCitation task force to address concerns regarding the formula and procedure to distribute funds, to establish metrics for evaluation, the possible expansion beyond traffic citations, law enforcement officer training, and the integration of JIMS with law enforcement computer systems.

Thank you for the opportunity to testify on this measure.

**Justin F. Kollar**  
Prosecuting Attorney



**Rebecca Vogt Like**  
Second Deputy

**Jennifer S. Winn**  
First Deputy

**Diana Gausepohl-White**  
Victim/Witness Program Director

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

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**THE HONORABLE KARL RHOADS, CHAIR  
THE HONORABLE JARRETT KEOHOKALO, VICE CHAIR  
SENATE COMMITTEE ON JUDICIARY  
THIRTY-FIRST STATE LEGISLATURE**

Regular Session of 2021  
State of Hawai'i

March 12, 2021

**RE: H.B. 1377 HD1 – RELATING TO CITATIONS**

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary, the Office of the Prosecuting Attorney of the County of Kaua'i SUPPORTS H.B. 1377 HD1.

The purpose of H.B. 1377 HD1 is to create an electronic citation (“eCitation”) program under the Judiciary and establish an eCitation surcharge to help fund the program. eCitation pilot programs currently exist in the First and Second Circuits (Oahu and Maui), this legislation would allow the program to expand statewide.

The implementation of an eCitation system will have many benefits over paper citations, such as improved legibility for supervisors, prosecutors, and Judiciary personnel who currently sometimes have difficulty deciphering handwritten notes, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These situations sometimes lead to dismissal of traffic citations and delays in access to citations.

We believe that implementation of a Statewide eCitation program will benefit the State by improving efficiency, saving time for law enforcement, judiciary personnel, and infraction offenders, and improved data collection for the purpose of improving traffic safety.

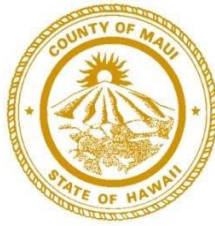
For these reasons, the Office of the Prosecuting Attorney supports the passage of H.B. 1377 HD1. Thank you for this opportunity to testify.

**MICHAEL P. VICTORINO**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**MICHAEL S. KAGAMI**  
First Deputy Prosecuting Attorney

**ROBERT D. RIVERA**  
Second Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
COUNTY OF MAUI  
150 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON  
H.B. 1337, HD1  
RELATING TO CITATIONS.

March 15, 2021

The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice Chair  
and Members of the Committee on Judiciary

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui supports H.B. 1377, HD1 Relating to Citations. This bill creates an electronic citation (“eCitation”) program under the Judiciary and establishes an electronic citation surcharge.

eCitation technology provides numerous benefits to law enforcement, the Judiciary and to the general public, including: increased efficiency and accuracy, greater officer and motorist safety, and improved timeliness with processing in the Judiciary Information Management System. In addition, analysis of eCitation data (i.e., types of violations, geolocations, and times of issuance) can be used to implement traffic safety programs and improve the safety of our roadways.

In Maui, the Maui Police Department currently uses eCitations through a federal grant-funded pilot program. The eCitation pilot program in Maui is considered a success - the technology allows MPD officers to more efficiently enforce traffic laws and ensure that citations are submitted to the Judiciary in a timely, accurate, and secure manner. However, the federal grant funding is not permanent. This bill creates a statewide eCitation program that will establish a surcharge to be distributed to each county to defray expenses and costs related to maintenance of the program, and ensure that the benefits of eCitation technology are successfully implemented across the State.

Thank you very much for the opportunity to provide testimony on this bill. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

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

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
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STEVEN S. ALM  
PROSECUTING ATTORNEY

THOMAS J. BRADY  
FIRST DEPUTY  
PROSECUTING ATTORNEY



**THE HONORABLE KARL RHOADS, CHAIR**  
**SENATE COMMITTEE ON JUDICIARY**  
**Thirty-First State Legislature**  
**Regular Session of 2021**  
**State of Hawai`i**

March 16, 2021

**RE: H.B. 1377, H.D. 1; RELATING TO CITATIONS.**

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in **support** of H.B. 1377, H.D. 1.

The purpose of H.B. 1377, H.D. 1, is to expand the eCitations program statewide—from the current pilot program being run only in Honolulu and Maui—and create a special fund, with corresponding \$5.00 fee to be paid by offenders, to provide financial support for the program.

The Department appreciates this modernization of the traffic citations system, as it provides our deputies with faster access to citations, and eliminates any difficulty with reading some officers' handwriting, thus streamlining the process.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 1377, H.D. 1. Thank you for the opportunity to testify on this matter.



Subject: **Support HB 1377 HD1**

Dear Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

My name is Kari Benes, and I am the chair of the Hawaii Strategic Highway Safety Plan (SHSP) asking for your support of HB1377 HD1. The improvements outlined in HB1377 HD1 provide a sustainable path to the e-citation program and will allow local traffic enforcement to continue using this effective and efficient technology. This measure aligns with the SHSP's data improvement priorities in the updated 2019-2024 plan.

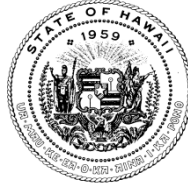
The Hawaii Strategic Highway Safety Plan's vision is that all of Hawaii's road users arrive safely at their destinations. You can help us achieve our goal of reducing yearly fatalities, by supporting this measure.

To view the Strategic Highway Safety Plan, please visit <https://hidot.hawaii.gov/highways/shsp/>

Strategic Highway Safety Plan Mission

*Save lives and reduce injuries on Hawaii's roadways through strategic partnerships and implementation of the Strategic Highway Safety Plan.*





**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

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

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

March 16, 2021  
9:15 A.M.  
State Capitol, Teleconference

**H.B. 1377, H.D. 1**  
**RELATING TO CITATIONS**

Senate Committee on Judiciary

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The Department of Transportation (DOT) **supports** H.B. 1377, H.D. 1, which creates an electronic citation program under the Judiciary and establishes an electronic citation surcharge.

The implementation of an electronic, or eCitation, system would help rectify numerous deficiencies with paper citations, such as supervisors, prosecutors and Judiciary personnel having to decipher difficult-to-read handwritten notes, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These sometimes lead to dismissal of traffic citations and delays in access to citations.

eCitation technology provides numerous benefits to law enforcement, Judiciary and to the general public, including:

- Time savings and accuracy by scanning driver license and registrations to autopopulate eCitations;
- Officer and motorist safety as law enforcement officers spend less time on the side of the road writing and issuing the citation;
- Improved accuracy and efficiency in citation data entry into law enforcement agencies' Records Management Systems and the Judiciary Information Management System;
- Elimination of in-person deliveries or mailing of citations from rural police districts to the courts;
- Faster access to citations for violators who need to pay the fines; and
- Analysis of eCitation data (types of violations, geolocations, times of issuance, etc.) that can be used for traffic safety.

We believe that a statewide eCitation system is essential as we move towards streamlining processes and finding more efficient and effective solutions.

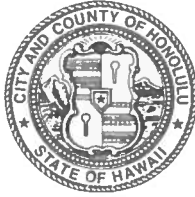
Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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

**LATE**

RICK BLANGIARDI  
MAYOR



SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
AARON TAKASAKI-YOUNG  
DEPUTY CHIEFS

OUR REFERENCE

CT-LC

March 16, 2021

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: House Bill No. 1377, H.D. 1, Relating to Citations

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

The HPD supports House Bill No. 1377, H.D. 1, Relating to Citations.

The HPD and Maui Police Department are conducting a pilot program using an electronic citation (eCitation) system. The eCitation system resolves issues that include the timely delivery of citations from the law enforcement agency to the Hawaii State Judiciary. Some of the benefits of the eCitation system are that it allows faster access for violators who wish to pay their fines and eliminates the task of prosecutors and Judiciary personnel having to interpret difficult to read handwritten citations. In addition, the eCitation system decreases the time that the officers spend interacting with motorists on the roadside, which is an officer safety concern.

This program is currently being funded by a federal grant that will expire. The establishment of an electronic surcharge will ensure that each participating county will have the necessary funding to cover the costs of maintaining this program.

The Honorable Karl Rhoads, Chair  
and Members  
March 16, 2021  
Page 2

The HPD urges you to support House Bill No. 1377, H.D. 1, Relating to Citations,  
and thanks you for the opportunity to testify.

Sincerely,



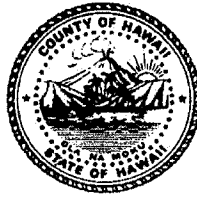
Calvin Tong, Major  
Traffic Division

APPROVED:



Susan Ballard  
Chief of Police

**Mitchell D. Roth**  
Mayor



**Paul K. Ferreira**  
Police Chief

**Kenneth Bugado Jr.**  
Deputy Police Chief

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998  
(808) 935-3311 • Fax (808) 961-2389

March 15, 2021

Senator Karl Rhoads  
Chairperson and Committee Members  
Committee on Transportation  
415 South Beretania Street  
Honolulu, Hawai'i 96813

RE: HOUSE BILL 1377, HD1, RELATING TO CITATIONS  
HEARING DATE: MARCH 16, 2021  
TIME: 09:15 A.M.

Dear Senator Rhoads:

The Hawai'i Police Department **supports** House Bill 1377, HD1, with its purpose to create an electronic citation program under the judiciary and establishes an electronic citation charge.

The implementation of an electronic citation, "eCitation," system would provide accurate and up to date data and information to the judiciary and law enforcement agencies. The eCitation would be completed using a computer or electronic device making them much easier to read and understand. Using eCitations will reduce the amount of work hours needed by staff to decipher handwritten citations and then enter the data into the records management systems at both the judiciary and law enforcement agencies. Officers will be able to complete citations more efficiently and reduce their time at the scene in a potentially dangerous area or situation.

The judiciary will receive information more timely upon completion and approval of the citations rather than waiting for manual entry and delivery of the hard copies days later. This will reduce the possibility of citations being dismissed for being delayed. Electronic citations will benefit the violators who can pay the fines for violations much sooner. It may prevent them from having to make multiple trips in to the courts to pay their fines. It will reduce the number of times that staff will need to assist them.

It is for these reasons, we urge this committee to approve this legislation. Thanks you for allowing the Hawai'i Police Department to provide comments relating to House Bill 1377.

Sincerely,

PAUL K. FERREIRA  
POLICE CHIEF

**LATE**

**HB-1377-HD-1**

Submitted on: 3/16/2021 12:00:53 PM

Testimony for JDC on 3/16/2021 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Testifying for Maui Police Department	Support	No

Comments:

Maui Police Support this proposal.

**LATE**

**HB-1377-HD-1**

Submitted on: 3/16/2021 2:24:12 PM

Testimony for JDC on 3/16/2021 9:15:00 AM

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

Comments:

More wast of Money that could be going to repair the roads that are falling apart.