

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 18, 2025
12:00 p.m.
State Capitol, Room 308

H.B.1166, H.D. 1
RELATING TO AUTOMATED SPEED ENFORCEMENT SYSTEMS PROGRAM

House Committee on Finance

The Hawaii Department of Transportation (HDOT) **supports H.B. 1166, H.D. 1**, appropriates funds out of the State Highway Fund for deposit into the Automated Speed Enforcement Systems Program Special Fund and appropriates funds out of the Automated Speed Enforcement Systems Program Special Fund for fiscal year 2025-2026.

The appropriation is necessary for the implementation of the program.

There is appropriated out of the highway safety fund the sum of \$230,000 or so much thereof as may be necessary for fiscal year 2023-2024 to be deposited into the automated speed enforcement systems program special fund.

To further strengthen automated enforcement, HDOT respectfully requests amendments to Chapter 291J, Hawaii Revised Statutes, by making an emergency appropriation.

SECTION 1. Act 30, Session Laws of Hawaii 2020, as amended by Section 1 of Act 133, Session Laws of Hawaii 2021, and Section 8 of Act 124, Session Laws of Hawaii 2022, is amended by amending sections 9 and 10 to read as follows:

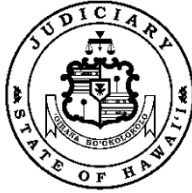
"SECTION 9. There is appropriated out of the state highway fund the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2020-2021; \$400,000 or so much as may be necessary for fiscal year 2021-2022; [and] \$400,000 or so much as may be necessary for fiscal year 2022-2023; and \$600,000 or so much as may be necessary for fiscal year 2024-2025 to be deposited into the photo red light imaging detector systems program special fund.

SECTION 10. There is appropriated out of the photo red light imaging detector systems program special fund the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2020-2021; \$400,000 or so much as may be necessary for

fiscal year 2021-2022; and \$400,000 or so much as may be necessary for fiscal year 2022-2023 for purposes of establishing the photo red light imaging detector systems pilot program; provided that the moneys appropriated for fiscal year 2020-2021, fiscal year 2021-2022, ~~[and] fiscal year 2022-2023;~~ and \$600,000 or so much as may be necessary for fiscal year 2024-2025 shall not lapse at the end of that fiscal year; provided further that all moneys appropriated for fiscal year 2020-2021, fiscal year 2021-2022, ~~[and] fiscal year 2022-2023,~~ and fiscal year 2024-2025 that are unexpended or unencumbered as of June 30, ~~[2025,]~~ 2027, shall lapse to the credit of the photo red light imaging detector systems special fund.

The sum appropriated shall be expended by the department of transportation for the purposes of this Act; provided that the department of transportation shall transfer \$125,779 in fiscal year 2022-2023, fiscal year 2023-2024, and \$250,602 in fiscal year 2024-2025 to the department of the prosecuting attorney of the city and county of Honolulu. The department of the prosecuting attorney shall expend these funds exclusively for personnel costs related to the photo red light imaging detector systems program; provided that any remaining balances in any of the fiscal years shall be returned to the department of transportation."

Thank you for the opportunity to provide testimony.



The Judiciary, State of Hawai'i

Testimony to the Thirty-Third State Legislature, 2025 Session

Senate Committee on Transportation & Culture and the Arts

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

Tuesday, March 18, 2025, 3:00 p.m.
Conference Room 224 & Via Videoconference

By:

Michelle D. Acosta
Deputy Chief Court Administrator
District Court of the First Circuit

Bill No. and Title: House Bill No. 1166, H.D. 1, Related to Automated Speed Enforcement Systems Program

Purpose: Appropriates funds out of the State Highway Fund for deposit into the Automated Speed Enforcement Systems Program Special Fund and appropriates funds out of the Automated Speed Enforcement Systems Program Special Fund for fiscal year 2025-2026. Effective 7/1/3000. (HD1)

Judiciary's Position:

The Judiciary takes no position on the merits of the bill and submits the following concerns for the Legislature's consideration.

House Bill No. 1166, H.D. 1 appropriates funds to establish and maintain the automated speed enforcement systems program. The Judiciary has concerns regarding the volume of citations that may be generated from the establishment and/or expansion of the automated speed enforcement systems program.

These automated speed enforcement systems have the capacity to generate a large volume of citations. These citations must be processed by the district courts statewide. The high volume would likely overwhelm current court resources.



The automated speed enforcement system would likely provide electronic copies of traffic citations to the district courts throughout the state. However, the Judiciary's Information Management System (JIMS) is not currently equipped to pull data from the law enforcement citations and transfer the data into court records. Instead, all of the information in the citations (name, address, driver's license number, location of the offense, vehicle make and model, vehicle license plate, etc.) is manually entered by court staff into JIMS, similar to the way that handwritten notes on a receipt need to be manually entered into a billing system in order to create an invoice. Once that information is manually entered by court staff, court staff then processes requests for hearings and written statements from motorists contesting the citations or explaining mitigating circumstances, schedules court dates, and prepares minutes from court hearings. A dramatic increase in traffic citations would likely overwhelm current court resources, potentially to the detriment of other types of cases heard by District Court.

The Judiciary's Information Technology Systems Department (ITSD) is looking for technological solutions to efficiently receive and process the high volume of electronic citations. This process of researching and procuring the most appropriate solution will require time, coordination with the Department of Transportation, and possibly an appropriation.

The Judiciary requests that any expansion of the automated speed camera system take into consideration the impact on the district courts statewide and allow adequate time for the courts to work with the Department of Transportation. The Judiciary requests that the Legislature consider similar language as House Bill No. 235, H.D. 1, which requires the Department of Transportation to seek public input from the community in selecting locations for expansion and provide a report to the legislature concerning its implementation progress. The Judiciary further requests that the Department of Transportation include the Judiciary's input in its expansion plans.

Thank you for the opportunity to testify on this measure.



Testimony of the Oahu Metropolitan Planning Organization

Senate Committee on Transportation & Culture and the Arts

**03/18/2025 3:00 PM
CR 224 & Videoconference**

HB 1166 HD1 RELATING TO AUTOMATED SPEED ENFORCEMENT SYSTEMS PROGRAM.

Dear Chair Lee, Vice Chair Inouye, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports HB 1166 HD1** which appropriates funds out of the State Highway Fund for deposit into the Automated Speed Enforcement Systems Program Special Fund and appropriates funds out of the Automated Speed Enforcement Systems Program Special Fund for fiscal year 2025-2026.

This bill would help us achieve the goal of reducing traffic related deaths and serious injuries to zero by 2045. Traffic fatalities increased ten percent between 2023 and 2024 in Hawaii. In 2024, the State of Hawaii Department of Transportation conducted an annual behavioral study, and nearly one-quarter of respondents admitted to exceeding the speed limit by more than 20 miles per hour, and over half exceeded the speed limit by 10-20 miles per hour in the last six months. Appropriating additional funds would enable the maintenance of the current Automated Speed Enforcement System and expansion of the system to other locations.

The OahuMPO is the federally designated Metropolitan Planning Organization (MPO) on the island of Oahu responsible for carrying out a multimodal transportation planning process, including the development of a long-range (25-year horizon) metropolitan transportation plan, referred to as the Oahu Regional Transportation Plan (ORTP), which encourages and promotes a safe, efficient, and resilient transportation system that serves the mobility needs of all people and freight (including walkways, bicycles, and transit), fosters economic growth and development, while minimizing fuel consumption and air pollution ([23 CFR 450.300](#)).

Mahalo for the opportunity to provide testimony on this measure.



Testimony in **Opposition**

The Libertarian Party of Hawaii strongly **opposes** HB1166/SB1485 which seeks to establish and fund an Automated Speed Enforcement Systems Program. This bill is an expansion of government surveillance and enforcement that infringes upon individual liberties. Automated speed enforcement penalizes citizens without the presence of a complaining party or of law enforcement, removing due process. These systems often lack transparency and lead to wrongful citations and cumbersome bureaucratic challenges for those who want to contest penalties.

For any crime enforcement to be justified, there must be an injured party who has directly suffered harm as a result of the alleged offense. This principle is fundamental to the concept of justice. Enforcement actions need to be based on the actual impact of a crime rather than mere suspicion or automated detection. Without a clear victim, enforcement can lead to wrongful accusations and penalties, undermining individual rights and the integrity of the legal system.

A defined budget is necessary for effective program implementation and maintaining public trust in government spending. The absence of a specified dollar amount removes fiscal responsibility and transparency.

We urge the Legislature to **oppose** this bill.

The Libertarian Party of Hawaii
LPHIsecretary@gmail.com

HB-1166-HD-1

Submitted on: 3/17/2025 1:43:02 PM

Testimony for TCA on 3/18/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edgardo Diaz Vega	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure. Speed enforcement helps improve safety on the islands' roads through better enforcement of existing laws. Speeding is the leading factor in vehicular accidents, making reducing excessive speeding a crucial part of reducing the deaths and injuries that have become all too common on local roads. Increasing automated enforcement will push drivers to better respect traffic laws and make our roads safer for all users.

HB-1166-HD-1

Submitted on: 3/17/2025 8:54:05 PM

Testimony for TCA on 3/18/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Oppose	Written Testimony Only

Comments:

Honorable Chair, Vice Chair, and Members of the Committee,

I respectfully submit my opposition to HB1166, which seeks to expand the use of automated speed enforcement systems in Hawaii. While the bill may be introduced with the intent to improve road safety, there are several concerns regarding the expansion of government surveillance, the erosion of personal responsibility, the potential for unjust enforcement, and the misallocation of taxpayer funds.

Automated speed enforcement systems have the potential to increase government surveillance of individuals in an unprecedented way. While these systems may be aimed at reducing traffic accidents, they could set a troubling precedent for a growing government presence in citizens' daily lives.

It is important to note that while the bill's intent may be safety-oriented, the expansion of surveillance infrastructure opens the door to future abuses. Automated systems are more difficult to challenge or scrutinize, and without clear transparency, the risk of misuse grows. For example, **the system could be used for purposes beyond traffic enforcement, encroaching on citizens' privacy in ways not intended by the original legislation. I urge you to consider the long-term implications** of creating a surveillance state that limits personal freedoms.

One of the fundamental principles of a free society is that individuals are responsible for their own actions. By relying on automated systems to enforce speed limits, this bill risks undermining personal responsibility. While these systems might reduce traffic violations, they do so by removing direct human oversight and accountability.

Law enforcement should be visible, transparent, and interactive, allowing citizens the opportunity to engage directly with the system and contest tickets if necessary. **A reliance on faceless machines to enforce laws diminishes personal responsibility and discourages individuals from taking ownership of their actions on the road.** Instead of investing in automated enforcement, I encourage a focus on programs that promote safer driving through education, community engagement, and improved infrastructure.

Automated speed enforcement systems are not infallible. There have been instances in other states where such systems issued fines in error, such as misreading traffic conditions or malfunctioning equipment. **Automated systems lack the human judgment that can consider**

context—such as emergency situations or unusual circumstances—when issuing tickets. Without adequate oversight, these errors can go unchallenged, potentially penalizing innocent drivers.

While the proponents of HB1166 may argue that these systems are more objective than human officers, the reality is that no system is perfect. **Errors in ticketing or discrepancies in data could lead to significant financial penalties for individuals, with little recourse to contest the charges.** I urge this body to consider a system that maintains human oversight and provides a transparent and accessible appeals process for drivers who believe they have been unfairly ticketed.

The bill proposes appropriating funds from the state highway fund to establish and maintain these automated systems. Taxpayer money should be spent responsibly, prioritizing initiatives that provide the most benefit to the public. While the bill may argue that automated speed enforcement will improve safety, **we should ask for a comprehensive cost-benefit analysis to determine if this program is the most effective use of state resources.**

There is a risk that automated speed enforcement could become an expensive program with limited measurable benefits. **If the program fails to demonstrate clear and substantial reductions in accidents or fatalities, it could become a permanent drain on public funds without delivering a return on investment.** Instead of funding these automated systems, we should consider alternatives that are more cost-effective, such as increased funding for driver safety education, enhanced law enforcement presence in high-risk areas, or improvements to road infrastructure that encourage safe driving without requiring constant surveillance.

One of the most concerning aspects of this bill is the lack of a sunset clause. Without such a clause, the program could persist indefinitely without regular review or evaluation. There is no guarantee that the program will be scrutinized for its effectiveness or its cost to taxpayers after it is implemented. Government programs, especially those funded by public money, should be regularly reviewed to ensure they are serving the public interest and are not just expanding bureaucracy.

A sunset clause would ensure that the program is periodically assessed and, if necessary, discontinued if it fails to meet its objectives. Without this kind of oversight, we risk creating a permanent and unaccountable system that may become entrenched, irrespective of its actual effectiveness in improving road safety.

Rather than relying on automated systems to monitor and penalize drivers, I propose that the Legislature focus on alternatives that encourage safe driving while respecting individual liberties. These could include:

- Expanding traffic safety education programs that teach responsible driving and the importance of adhering to speed limits.
- Enhancing community policing efforts, where officers can interact directly with drivers, providing warnings and education when necessary.
- Improving road design and signage to naturally reduce speeding in high-risk areas.

- Investing in technology that provides feedback to drivers, such as speed limit signs that flash when a driver exceeds the limit, without issuing automatic fines.

These alternatives not only respect individual freedom but also empower drivers to make better decisions on the road, promoting a culture of safety and responsibility.

HB1166 represents an overreach of government power and could lead to unintended consequences that undermine personal freedoms and misallocate taxpayer funds. While the intent of the bill may be to enhance safety, there are more effective, cost-efficient, and privacy-respecting ways to achieve the same goal. I urge the Legislature to reconsider this approach and explore alternatives that respect individual rights while addressing road safety concerns. Thank you for your time and consideration.

Sincerely,

Nicholas Zehr

HB-1166-HD-1

Submitted on: 3/17/2025 9:22:25 PM

Testimony for TCA on 3/18/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Leilani DeMello	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I OPPOSE this bill.

Mahalo,

M. Leilani DeMello

‘Ōla‘a, Puna, Hawai‘i