



The Judiciary, State of Hawai'i

Testimony to the Thirty-Third State Legislature, 2025 Session

House Committee on Transportation

Representative Darius K. Kila, Chair

Representative Tina Nakada Grandinetti, Vice Chair

Thursday, February 13, 2025, 10:00 a.m.
Conference Room 430

By:

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

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 334, Relating to Traffic Citations

Purpose: Authorizes the Department of Law Enforcement to establish traffic cameras and issue a citation by mail for certain violations of traffic-related laws. Establishes that intentional destruction or damage to a traffic camera is a class C felony.

Judiciary's Position:

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

The Judiciary has concerns regarding the Department of Law Enforcement's use of traffic enforcement cameras. The Judiciary is concerned that the volume of citations may overwhelm the staff at the district courts if adequate time to prepare is not considered. This bill does not specify where the traffic cameras are to be installed and for what type of violation.

The third-party vendor selected by the Department of Law Enforcement would 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 currently looking for technological solutions to reduce the anticipated burden on court staff. The Judiciary requests that any expansion of the red-light and/or speed camera system take into consideration the impact on the courts and allow adequate time for the court to prepare. The Judiciary therefore requests that the Department of Law Enforcement be required to seek input from the Judiciary prior to implementation.

The Judiciary would request an effective date of January 1, 2027 for the Department of Law Enforcement to present its traffic camera program. This would allow time for the Judiciary to work with the Department of Law Enforcement and request an appropriation if needed to enhance the Judiciary's technology systems and increase its human resources capacity.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

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JARED K. REDULLA
Deputy Director
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TESTIMONY ON HOUSE BILL 334
RELATING TO TRAFFIC CITATIONS
Before the House Committee on
TRANSPORTATION

Thursday, February 13, 2025, 10:00 am
State Capitol Conference Room 430 & Videoconference

WRITTEN TESTIMONY ONLY

Chair Kila, Vice Chair Grandinetti, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports House Bill 334, which authorizes the Department to establish traffic cameras and issue citations by mail for certain traffic violations.

This bill provides the DLE with essential tools to enhance traffic safety enforcement through the implementation of automated traffic camera systems. The legislation includes crucial provisions for public awareness through mandatory information campaigns, a 30-day warning period for the public to adjust to the new system, and clear guidelines for citation issuance.

The proposed legislation addresses several key operational aspects, including vendor compensation requirements that ensure integrity by prohibiting payment based on fine revenue, establishing reasonable timeframes for citation issuance, and providing for cooperation with counties for optimal camera placement. These provisions align with best practices in automated traffic enforcement programs nationwide.

The bill also appropriately addresses the serious issue of traffic camera vandalism by establishing it as a class C felony, which will help protect the substantial public investment in this safety infrastructure. This deterrent is crucial for maintaining the system's effectiveness and protecting public resources.

Implementing this program will significantly enhance our ability to consistently enforce traffic laws, improve road safety, and reduce the strain on our law enforcement personnel in the field. However, we are concerned about establishing the appropriate number of personnel per camera necessary to review and issue citations for the recorded violations. It may be beneficial to observe the workflow produced by the currently installed cameras before deciding on the scale of the expansion.

Thank you for the opportunity to testify in strong support of this bill.



Testimony of the Oahu Metropolitan Planning Organization

Committee on Transportation

02/13/25 10:00 AM
CR 430 & Videoconference

HB 334
Relating to Traffic Citations

Dear Chair Kila, Vice Chair Grandinetti, and Committee Members,

The Oahu Metropolitan Planning Organization (OahuMPO) **supports HB334** which authorizes the Department of Law Enforcement to establish traffic cameras and issue a citation by mail for certain violations of traffic-related laws and establishes that intentional destruction or damage to a traffic camera is a class C felony.

This bill supports 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. This measure bridges the relationship between the Department of Law Enforcement and county law enforcement offices, clarifies language regarding issuing citations, establishes responsibility for driver awareness of traffic cameras, and establishes penalties for destruction of traffic cameras.

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.

HAWAI'I HOUSE COMMITTEE ON TRANSPORTATION**HEARING:**

Public Hearing on House Bill 334, Feb. 13, 2025

DATE OF TESTIMONY:

Feb. 12, 2025

**TESTIMONY OF THE POLICING PROJECT AT NYU SCHOOL OF LAW IN
OPPOSITION OF H.B. 334**

Dear Chair Kila, Vice Chair Grandinetti, and Members of the House Committee on Transportation:

The Policing Project is an organization dedicated to ensuring democratic accountability in policing by giving communities and their elected representatives a voice in how law enforcement agencies operate. We believe that by democratically setting expectations before police act, instead of after something has gone wrong, we can achieve meaningful public safety for all people.

The Policing Project submits this testimony in opposition of H.B. 334, which authorizes the Department of Law Enforcement to establish traffic cameras and issue a citation by mail for any traffic-related violation that does not mandate an arrest. This bill simply does not cohere with best practices for traffic camera legislation. H.B. 334 lacks adequate substantive guidance or guardrails to ensure the cameras are equitably achieving safety objectives and not just generating revenue. Without guidelines for allocating the resulting revenue, the bill creates a significant risk that jurisdictions will become financially dependent on camera-generated fines and fees that disproportionately impacts low-income residents and people of color. And, unlike the traffic camera legislation in other states like California and Washington, H.B. 334 does not contain provisions designed to reduce otherwise inevitable racial and economic disparities of traffic camera programs.

This bill calls for an expansion of what is commonly called Automated traffic enforcement, or ATE, a system of cameras installed to help detect traffic violations, such as speeding, running red lights, or failure to yield. As the number of people killed and severely injured in traffic crashes in the United States remains high, states and localities are reasonably seeking effective strategies to improve road safety. Although some ATE technologies may contribute to speed-related safety improvements, not all do. For example, [studies have shown](#) that red light camera program outcomes are inconsistent - while red-light cameras may reduce t-bone crashes, they can contribute to increases in rear-end collisions.

Moreover, ATE programs create perverse financial incentives because of the substantial fines and fees they generate. These revenues often become integral to fiscal planning. In 2023, [D.C.'s mayor proposed a budget](#) that would add 342 new traffic cameras that were projected to pull in \$578 million over four years - explicitly to help balance the budget. And, [more than half the revenue the city of Chicago collected](#) in 2024 from traffic cameras arose from late fee payments.

When governments rely on fines and fees for revenue rather than for safety, enforcement priorities can shift in harmful ways. Jurisdictions, swayed by the revenue they yield, become focused on implementing as many monetary sanctions as possible into their traffic programs. But these traffic-camera generated fines and fees do not create safer streets; if these programs were changing driver behavior, we would see revenue decline because people would be driving more safely and incurring fewer traffic infractions. Yet, the reality is that jurisdictions across the country are banking on revenue staying the same or even increasing. For example, Chicago's 2024 budget [counted on more than \\$46 million](#) in traffic-related fines and fees, a 15 percent *increase* from the previous year.

Without adequate guardrails, the lucrative nature of traffic cameras can breed corruption. In Illinois, for instance, [a state senator was convicted](#) of accepting thousands of dollars in bribes from a red light camera company in exchange for advocating for expanded placement of traffic cameras in the state.

Additionally, the burden of ATE costs is not borne equally by residents. The current use of ATE disproportionately impacts communities of color. [Research shows](#) that a driver in one of D.C.'s predominantly Black areas is over 17 times more likely to receive a moving violation from traffic camera at a cost of 16 times more per resident than in White neighborhoods. And an [analysis of cameras in Chicago](#) over a four year period found that 38% of tickets went to drivers from majority-Black zip codes.

The primarily fine-based approach of ATE can have devastating impacts on lower-income communities. 1 in 3 Americans have been impacted by fine and fee debt, with the majority of these debts stemming from traffic infractions. For people living paycheck to paycheck, trying to pay off a single traffic ticket and its associated fees can mean forgoing food, rent, and childcare.

To make matters worse, H.B. 334 vests a law enforcement agency, the Department of Law Enforcement, with authority to establish and implement the traffic camera program. But, [in a recent comprehensive report by the Vision Zero Network](#), a panel of experts concluded that such programs should be housed in state transportation or public works departments, rather than law enforcement agencies, both to further road safety and cultivate community trust.

In short, legislation like H.B. 334 that does not address where funds should be allocated is susceptible to prioritizing revenue generation over meaningfully changing driver behavior and is likely to disproportionately impact low-income individuals and communities of color without necessarily furthering traffic safety.

That said, well designed and equitably implemented speed camera programs with adequate guardrails *can* improve traffic safety while ensuring fairness. For instance, funds should be used

to cover the administrative cost of the program and benefit areas that have been historically underinvested, underfunded, or both. Funds also could be used to redesign streets or add traffic calming measures such as bike lanes and traffic circles - measures that create longer-lasting, safety-driven infrastructure.

Other states have already enacted ATE legislation with guardrails designed to prevent reliance on ATE revenue, to ensure equitable enforcement, and to mitigate the potentially devastating effects of excessive fines & fees. Hawai'i would be wise to follow in their footsteps. [California's enacted pilot program legislation](#), for example, requires jurisdictions to use revenue to cover administrative costs, as well as traffic calming measures within three years. If measures to achieve this goal are not planned by the third year, the municipality will no longer have access to the excess revenue generated. The California legislation also contains specific measures and processes to a) ensure speed cameras are placed in "geographically and socioeconomically diverse" locations, and b) reduce or delay payments for individuals who have limited ability to pay.

[Washington State's recently enacted traffic camera legislation](#) also contains ability-to-pay provisions. In addition, the Washington legislation provides that four years after a camera's placement, 25% of ticket revenue in excess of administrative costs must be directed to the state's active transportation safety account, where revenue can only be used to fund grant projects for bicycle, pedestrian, and non-motorist safety improvements. These models smartly disincentivize jurisdictions from becoming reliant on camera ticketing for revenue and take significant steps to ensure equitable enforcement.

H.B. 334 unfortunately does not take this tailored approach. By passing this bill, Hawai'i would authorize the Department of Law Enforcement to establish a program that may well disproportionately impact the most financially vulnerable in Hawai'i, while prioritizing revenue generation over taking evidence-based steps to actually further traffic safety. We therefore oppose the bill.

The Policing Project, however, would be more than happy to work with legislators to develop an equitable bill that furthers traffic safety without exacerbating financial disparities.

Thank you for considering our testimony.



Committee: Transportation
Hearing Date/Time: Thursday, February 13, 2025 at 10:00am
Place: Conference Room 430 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i OPPOSES H.B. 334
Relating to Traffic Citations**

Dear Chair Kila, Vice Chair Grandinetti, and Members of the Committee:

The ACLU of Hawai'i **opposes H.B. 334**, which authorizes the Department of Law Enforcement to establish traffic cameras and issue a citation by mail for certain violations of traffic-related laws and establishes the intentional destruction or damage to a traffic camera as a class C felony.

The ACLU believes that the use of traffic cameras systems should be halted or delayed until the due process and privacy issues they raise have been properly settled.

Principally, there are two issues of fundamental fairness with the cameras that affect the right to due process under the law.

First, the tickets are sent to the owner of a car, who was not necessarily the person committing the alleged violation. The burden of proof usually then falls on the owner to prove he or she was not driving at the time. This is a violation of the bedrock American principle that the accused be considered innocent until proven guilty.

We have serious concerns about the language in the bill as well as how it might be implemented. It is alarmingly vague in both what violations will be tracked by the cameras, as well as how the Department of Law Enforcement will educate the public on their installation and use.

Second, we know from other jurisdictions that this type of traffic camera systems have been implemented, or expanded, to increase revenue and fill budget shortfalls. Even if the initial intent is traffic safety, evidence suggests restuls from the use of such traffic cameras are mixed at best. This generates public cynicism and suspicion; and undermines the pursuit of traffic safety.

Third, important privacy issues are raised by the cameras. The ACLU of Hawai'i is most concerned about what we call "mission creep" -- that the data collected by these cameras will be used for purposes other than tracking reckless drivers. Government and private-industry surveillance techniques created for one purpose are rarely restricted to that purpose, and every expansion of a data bank and every new use for the data opens the door to more and more privacy abuses.

Fourth, in other jurisdictions, traffic cameras tend to be disproportionatley deployed in low-income communities and communities of color. Here in Hawai'i, Native

Hawaiian and Pacific Islanders are already disproportionately impacted by the criminal justice system. The Department of Law Enforcement has, to the best of our knowledge, taken no steps to remedy this injustice and now would likely compound it with this bill.

The people of Hawai'i must be confident that traffic systems operate with unimpeachable fairness and that the information collected is used only for the authorized purpose indicated and is not sold, shared or otherwise abused.

Should the Committee decide to move this bill forward, we would urge the following amendments:

- Expand on how and in what ways the general public will be informed as part of a "comprehensive informational and educational campaign."
- Add specific language which describes how it is determined where the cameras will be placed. Include systems that ensure cameras will be placed "geographically and socioeconomically diverse" locations.
- Replace the Department of Law Enforcement with the Department of Transportation as the establishing agency.
- Include language that fines and fees collected from traffic cameras, beyond paying for the system are put toward traffic safety programs, grant projects for bicycle, pedestrian, and non-motorist safety improvements.
- Add language that provides for "ability-to-pay" provisions and reduce or delay payment options for individuals who may have limited ability to pay.

Absent these amendments, we cannot support H.B. 344 and urge the committee to defer the bill.

Sincerely,

Carrie Ann Shirota

Carrie Ann Shirota

Policy Director

ACLU of Hawai'i

cshirota@acluhawaii.org

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

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HB-334

Submitted on: 2/11/2025 10:33:30 AM

Testimony for TRN on 2/13/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

I feel this is an invasion of privacy and it cannot be proven, without a doubt, that the owner of the vehicle is the offender rather than another person via this means.

HB-334

Submitted on: 2/12/2025 9:18:27 AM

Testimony for TRN on 2/13/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Edgardo Diaz Vega	Individual	Support	Remotely Via Zoom

Comments:

I urge you to support this proposal to allow citations by mail for traffic offences and making destroying traffic cameras a felony. Reckless driving and speeding continue to be prevalent on Hawai'i's roads. In order to reduce the yearly deaths and injuries on our roadways, enforcement of traffic laws must be improved. As automated enforcement becomes more widespread, ensuring these systems are safe from vandalism is crucial, or else they risk becoming easy targets to their opponents. Allowing law enforcement to address certain offences by mailed citations also gives authorities more flexibility in how they can enforce traffic laws.