

Honolulu, Hawaii
Feb 16, 2006

RE: H.B. No. 2575

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2575 entitled:

"A BILL FOR AN ACT RELATING TO NO FAULT INSURANCE,"

begs leave to report as follows:

The purpose of this bill is to improve Hawaii's motor vehicle insurance laws by:

- (1) Establishing a misdemeanor offense for becoming involved in a motor vehicle accident while knowingly operating an uninsured motor vehicle or recklessly disregarding the fact that the motor vehicle is uninsured; and
- (2) Providing judges discretion to sentence an individual to a 48-hour jail term in lieu of a fine or community service for failure to have motor vehicle insurance.

The Office of the Prosecuting Attorney of the County of Kauai testified in support of this bill. The Honolulu Police Department, Office of the Public Defender, and a concerned individual opposed this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu (Prosecuting Attorney) submitted comments.

Your Committee finds that a number of individuals operate motor vehicles without proper motor vehicle insurance, leaving other pedestrians and drivers without recourse when that



individual is involved in a traffic accident. This measure may encourage drivers to become insured.

Although your Committee understands the concerns raised by the Prosecuting Attorney that the offense may be better classified as a petty misdemeanor, that recommendation is beyond the purview of your Committee on Transportation, which respectfully requests the Committee on Judiciary to look at the severity of the offense proposed under this bill.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2575 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



