

STAND. COM. REP. NO. 1633-06

Honolulu, Hawaii

April 7, 2006

RE: S.B. No. 845
S.D. 2
H.D. 2

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 845, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,"

begs leave to report as follows:

The purpose of this bill is to promote commercial motor vehicle safety by adopting federally mandated changes of the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT)" Act.

The Department of Transportation and Department of Customer Services of the City and County of Honolulu testified in support of this bill. The Judiciary offered comments.

Your Committee notes that concerns have been raised as follows:

- (1) The definition of "hazardous materials" should reference placarding requirements under Title 49 Code of Federal Regulations, Part 172, Subpart F, rather than Part 391, Subpart F;
- (2) Convictions of non-moving violations, with the exception of parking violations, should also be transmitted to the statewide traffic records system;

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- (3) Although the Judiciary would transmit all records of conviction, the Judiciary would not transmit information relating to failure to pay a fine or court cost ordered for a traffic violation, because the federal government is interested in only conviction information;
- (4) All the information to be included in a record of conviction, as provided by the bill, may not be available, so the types of information to be included should be discussed and agreed upon by the Judiciary and the Department of Information Technology of the City and County of Honolulu;
- (5) Clarification is needed as to which highway fund - state or federal - is to receive the portion of revenues derived from fees; and
- (6) The bill should take effect upon approval.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 845, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 845, S.D. 2, H.D. 2.

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



DWIGHT TAKAMINE, Chair



State of Hawaii
House of Representatives
The Twenty-third Legislature

HSCR 1633

Record of Votes of the Committee on Finance

| Bill/Resolution No.: SB 845, SD2, HD1 | | Date: 4.4.06 | | |
|---|------|---|------|---------|
| Committee Referral: JUD, FIN | | <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration | | | | |
| FIN Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. TAKAMINE, Dwight Y. (C) | ✓ | | | |
| 2. KAWAKAMI, Bertha C. (VC) | ✓ | | | |
| 3. CARROLL, Mele | | | | ✓ |
| 4. CHONG, Pono | ✓ | | | |
| 5. EVANS, Cindy | ✓ | | | |
| 6. LEE, Marilyn B. | ✓ | | | |
| 7. MAGAOAY, Michael Y. | ✓ | | | |
| 8. NAKASONE, Bob | ✓ | | | |
| 9. NISHIMOTO, Scott Y. | ✓ | | | |
| 10. TANAKA, Kameo | | | | ✓ |
| 11. TSUJI, Clift | ✓ | | | |
| 12. WAKAI, Glenn | ✓ | | | |
| 13. YAMANE, Ryan I. | ✓ | | | |
| 14. YAMASHITA, Kyle T. | ✓ | | | |
| 15. MEYER, Colleen Rose | | | | ✓ |
| 16. MOSES, Mark S. | ✓ | | | |
| 17. PINE, Kymberly | ✓ | | | |
| 18. STEVENS, Anne V. | ✓ | | | |
| | | | | |
| TOTAL | 15 | | | 3 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: <div style="text-align: center; font-family: cursive; font-size: 1.5em; margin-top: 10px;"> Bertha C. Kawakami </div> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office | | | | |