

Honolulu, Hawaii

MAR 21 2006

RE: H.B. No. 1825
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Transportation and Government Operations and Intergovernmental Affairs, to which was referred H.B. No. 1825, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS,"

beg leave to report as follows:

The purpose of this measure is to establish that unpaid traffic infractions remain the responsibility of the person who owned the vehicle at the time of the citation was issued, even if the person thereafter transfers the vehicle or the vehicle is repossessed by the lienholder.

Your Committees received testimony in support of this measure from the Hawaii Credit Union League. Testimony in opposition was received from Catrala-Hawaii although it supported a similar Senate Bill restricted to parking violations. Comments were received from the Judiciary.

Your Committees find that current law attaches traffic infractions to the vehicle rather than the vehicle's owner, which prevents the registration and transfer of ownership to a new owner until the fines are paid. This situation has wreaked havoc with some motor vehicle registration transfers by refusing to permit the transfer until the new owner pays for the fines incurred by the previous owner.



In the past, citations issued against vehicles have hindered those purchasing them from registering the vehicles. This measure corrects that problem by permitting the new owner to register the vehicle, while requiring the previous owner who incurred the citations to pay the fines.

Your Committees have amended this measure by deleting its contents and inserting provisions of S.B. No. 2065, SD2, which:

- (1) Clarifies the purpose section;
- (2) Restricts the bill to parking violations, instead of all traffic infractions;
- (3) Makes a conforming amendment in the law on adjudication of traffic infractions; and
- (4) Removes encumbrances on drivers' licenses.

Your Committees note that this measure, in its original form and as amended, leaves open a specific retroactive date. There may be a large number of transfers affected, so an unspecified retroactive date may be justified to cover all such incidences. Your Committees would defer to the Committee on Judiciary and Hawaiian Affairs to determine the appropriate retroactive provision.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1825, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1825, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Government Operations and
Intergovernmental Affairs,

David Y. Ige

DAVID Y. IGE, Chair

Will Lopez FOR

LORRAINE R. INOUE, Chair



