

Honolulu, Hawaii

APR - 5 2006

RE: H.B. No. 2422  
H.D. 1  
S.D. 2

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

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 2422, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to increase the penalty for motorists who violate Hawaii's crosswalk law.

Your Committee received testimony in support of this measure from the Department of Health, the Department of Transportation, and the Honolulu Police Department. The Office of the Public Defender submitted testimony in opposition to this measure. The Judiciary submitted comments.

Your Committee finds that the crosswalk law needs to be strengthened by enhanced penalties as a deterrent and punishment to drivers who do not stop for pedestrians. Pedestrian deaths and injuries are a serious problem and pedestrian injuries rank sixth among the leading cause of fatal injuries for all age groups in our State. Despite the highly publicized crosswalk law that passed in 2005, the number of people killed in crosswalks has increased forty-three percent.

Your Committee has amended this measure to:

- (1) Incorporate the comments submitted by the Judiciary to change "conviction" or similar references to a case

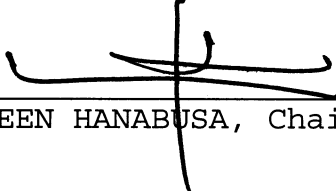


disposition where the defendant has been adjudicated guilty of a criminal matter to "failure to comply," because traffic violations are treated as civil matters;

- (2) Provide that persons subject to revocation of their license for failure to comply with Hawaii's crosswalk law will not be required to show proof of financial responsibility pursuant to section 287-20, Hawaii Revised Statutes, in order to address a concern raised by the Office of the Public Defender, while still permitting the court to set an appropriate amount to be paid by the defendant as proof of financial responsibility to enable the defendant to have his or her privilege to operate a motor vehicle reinstated; and
- (3) Make technical, nonsubstantive changes for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2422, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Hawaiian Affairs,

  
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COLLEEN HANABUSA, Chair



