

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2603
S.D. 1

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 S.B. No. 2603 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to provide district court judges with the discretion to impose a term of imprisonment for first time offenders of motor vehicle insurance laws.

Testimony in support of this measure was submitted by the Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu, the Honolulu Police Department, and an individual. The Office of the Public Defender and an individual submitted testimony in opposition to this measure.

Your Committee finds that there is a need to deter persons from driving without motor vehicle insurance. However, there is a concern regarding criminalizing a first time traffic violation.

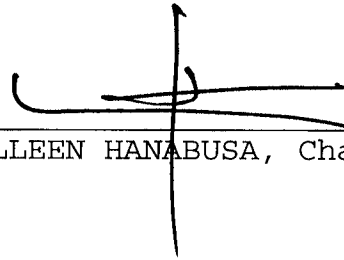
Your Committee has amended this measure to incorporate an amendment agreed to by the Judiciary and the Office of the Public Defender to specify that the violation of not having a valid motor insurance policy is not a "traffic infraction" as defined in chapter 291D. This will allow district court judges to consider a first offense for the purpose of finding multiple convictions. Your Committee further amended this measure to delete the provision that would have allowed a court to impose a term of



imprisonment of not more than forty-eight hours for a first offense.

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 S.B. No. 2603, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, and be placed on the calendar for Third Reading.

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



COLLEEN HANABUSA, Chair



