
HOUSE CONCURRENT RESOLUTION

URGING THE POLICE DEPARTMENTS OF THE COUNTIES OF MAUI, KAUAI, HAWAII, THE CITY AND COUNTY OF HONOLULU, AND THE DEPARTMENT OF PUBLIC SAFETY, SHERIFFS DIVISION, TO CONDUCT CHECKPOINTS SIMILAR TO THE PROGRAM OF "CLICK IT OR TICKET", TO BE CALLED "OPERATION ZERO TOLERANCE" TO CRACK DOWN ON AND DETER UNINSURED MOTORISTS.

1 WHEREAS, it is illegal to drive a motor vehicle without
2 having current motor vehicle insurance under section
3 431:10C-104, Hawaii Revised Statutes (HRS), with penalties
4 provided in section 431:10C-117, HRS; and

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6 WHEREAS, although estimates are difficult to make, it has
7 been estimated that as many as twenty per cent of Hawaii
8 motorists do not carry motor vehicle insurance; and

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10 WHEREAS, after an accident, an insured motorist has little
11 realistic hope of recovering damages from an uninsured
12 tortfeasor, but an illegally uninsured injured motorist may make
13 a claim against a financially responsible tortfeasor with a
14 reasonable degree of certainty that the uninsured person will
15 recover damages and be covered for medical expenses under
16 medical insurance coverage or the insurance joint underwriting
17 plan; and

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19 WHEREAS, uninsured motorists effectively have a "free
20 ride," whereby they can escape the cost of purchasing a motor
21 vehicle policy and at the same time be rewarded if they collide
22 with an insured motorist, which drives up the cost of motor
23 vehicle insurance by increasing the cost of the uninsured
24 motorist coverage; and

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26 WHEREAS, one way to identify uninsured motorists in order
27 to enforce the mandatory motor vehicle insurance law is to do
28 computer checks, but this requires massive coordination and



costly computer systems to coordinate efforts between insurers and police; and

WHEREAS, the only effective and practical means of enforcement of the mandatory motor vehicle insurance law is for police to do checkpoints at random locations periodically; and

WHEREAS, checkpoints are used to stop drunk drivers and vehicular occupants who are not wearing seat belts (click it or ticket), which have been proven effective; and

WHEREAS, checkpoints would also serve well to identify and issue citations to drivers without motor vehicle insurance; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, the Senate concurring, that the police departments of the counties of Honolulu, Maui, Kauai, Hawaii, and the Department of Public Safety, Sheriffs Division, are urged to set up checkpoints to identify and issue citations to drivers who do not have the required motor vehicle insurance or to at least check for motor vehicle insurance in conjunction with a checkpoint for drunk driving or seat belts; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chief of Police for each of the Counties of Maui, Kauai, Hawaii, the City and County of Honolulu, and the Director of Public Safety.

OFFERED BY:



MAR 13 2007

