

MAR 14 2007

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## SENATE CONCURRENT RESOLUTION

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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



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

3  
4 WHEREAS, the only effective and practical means of  
5 enforcement of the mandatory motor vehicle insurance law is for  
6 police to do checkpoints at random locations periodically; and

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

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

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

25  
26 BE IT FURTHER RESOLVED that certified copies of this  
27 Concurrent Resolution be transmitted to the Chief of Police for  
28 each of the Counties of Maui, Kauai, Hawaii, the City and County  
29 of Honolulu, and the Director of Public Safety.  
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