

STAND. COM. REP. NO. 1686

Honolulu, Hawaii

A, 02 , 2007

RE: S.B. No. 1529
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1529, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to clarify and expedite the processing of traffic infractions by, among other things:

- (1) Clearly establishing that the District Court may adjudicate civil traffic infractions charged against minors;
- (2) Clarifying that confidentiality protections afforded to minors are inapplicable to civil traffic infraction proceedings;
- (3) Consistently applying the civil standard of proof for civil traffic infraction trials;
- (4) Allowing District Courts discretionary scheduling of concurrent proceedings to address difficulties faced in complying with present concurrent scheduling requirements;
- (5) Clarifying the protections afforded to a defendant against self-incrimination;

SB1529 HD2 HSCR JUD HMS 2007-3433



- (6) Promoting consistency in the manner of processing and adjudicating moving and non-moving civil traffic infractions;
- (7) Permitting the use of electronic citations; and
- (8) Requiring that the person who is the lessee of the vehicle at the time of the issuance of a traffic infraction shall be responsible for the summons or citation if the registered owner of record is the lessor of a rental or U-drive motor vehicle.

Your Committee received testimony in support of the measure from the Judiciary and Catrala-Hawaii.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2112, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1529, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1529, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


TOMMY WATERS, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 1686

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 1529, SD2, HD1 (HSCR 1433)	Date: 3/27/07			
Committee Referral: TRN, JUD	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. CALDWELL, Kirk	/			
4. EVANS, Cindy				/
5. GREEN, Josh, M.D.	/			
6. ITO, Ken	/			
7. LUKE, Sylvia				/
8. McKELVEY, Angus L.K.	/			
9. MORITA, Hermina M.	/			
10. SONSON, Alex M.				/
11. SOUKI, Joseph M.				/
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. YAMASHITA, Kyle T.	/			
15. MARUMOTO, Barbara C.	/			
16. PINE, Kymberly Marcos	/			
17. THIELEN, Cynthia				/
TOTAL	12			5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				