

JAN 22 2008

A BILL FOR AN ACT

RELATING TO THE REVOCATION OF DRIVER'S LICENSES OF MINORS
CONVICTED OF PROPERTY CRIMES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that graffiti is a
2 widespread nuisance. Many communities statewide feel the
3 negative effects of this visual blight. Although the
4 legislature passed measures to counter this nuisance, and those
5 measures have been somewhat successful in reducing the incidence
6 of graffiti, there are still too many incidents to say the
7 problem is under control.

8 The purpose of this Act is to provide a greater
9 disincentive to minors who would otherwise think of creating
10 graffiti. By revoking the driver's license of minors convicted
11 of property crimes, this would help to further deter such
12 criminal activity.

13 SECTION 2. Section 708-822, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§708-822 Criminal property damage in the third degree.**

16 (1) A person commits the offense of criminal property damage in
17 the third degree if by means other than fire:



1 (a) The person recklessly damages the property of another,
2 without the other's consent, by the use of widely
3 dangerous means;

4 (b) The person intentionally or knowingly damages the
5 property of another, without the other's consent, in
6 an amount exceeding \$500; or

7 (c) The person intentionally damages the agricultural
8 equipment, supplies, or products or aquacultural
9 equipment, supplies, or products of another, including
10 trees, bushes, or any other plant and livestock of
11 another, without the other's consent, in an amount
12 exceeding \$100. In calculating the amount of damages
13 to agricultural products, the amount of damages
14 includes future losses and the loss of future
15 production.

16 (2) Criminal property damage in the third degree is a
17 misdemeanor.

18 (3) In addition to any other penalty imposed, if the
19 convicted offender is under the age of eighteen years, the court
20 shall promptly suspend the offender's license and privilege to
21 operate a vehicle for a period of one hundred and eighty days



1 with an absolute prohibition from operating a vehicle during the
2 suspension period."

3 SECTION 3. Section 708-823, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§708-823 Criminal property damage in the fourth degree.**

6 (1) A person commits the offense of criminal property damage in
7 the fourth degree if by means other than fire, the person
8 intentionally or knowingly damages the property of another
9 without the other's consent.

10 (2) Criminal property damage in the fourth degree is a
11 petty misdemeanor.

12 (3) In addition to any other penalty imposed, if the
13 convicted offender is under the age of eighteen years, the court
14 shall promptly suspend the offender's license and privilege to
15 operate a vehicle for a period of one hundred and eighty days
16 with an absolute prohibition from operating a vehicle during the
17 suspension period."

18 SECTION 4. New statutory material is underscored.

19 SECTION 5. This Act shall take effect upon its approval.

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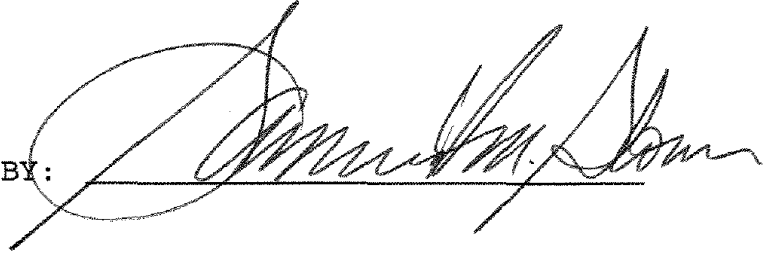
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S.B. NO. 2795

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "Mark M. Jones", written over a horizontal line.

Report Title:

Driver's license; graffiti

Description:

Requires court to suspend a license of a minor who has been convicted of criminal property damage for a period of 6 months.

