

STAND. COM. REP. NO. 1109

Honolulu, Hawaii

MAR 21 2007

RE: H.B. No. 362  
H.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,  
to which was referred H.B. No. 362, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the driver of a motor vehicle involved in an accident that results only in damage to the vehicle, to move the vehicle to a safe location off the roadway, including a shoulder lane or median, as close to the accident scene as possible.

This measure also clarifies that a driver is not liable or at fault for the accident for having removed the vehicle by sole reason of moving the vehicle.

Your Committee received testimony in support of this measure from the Honolulu Police Department.

Your Committee finds that motor vehicle accidents that do not result in bodily injuries could pose significant traffic hazards when vehicles are left on the roadway to await the arrival of police. The intent of this measure is to minimize that risk by requiring the drivers to remove their vehicles from the road but near enough to the accident scene.

Your Committee further finds that existing law is silent about the duties of a driver to move the vehicle to a safe location at the scene of an accident. According to the testimony


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of the Honolulu Police Department, drivers continue to feel compelled to refuse to move the vehicle even if it causes a traffic backup. This measure would clarify that the vehicle should be moved, and would serve as a device to educate the public on what to do with the vehicle at the scene of the accident.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 362, H.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation and  
International Affairs,




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J. KALANI ENGLISH, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Transportation and International Affairs**  
**TIA**

Bill / Resolution No.:* <b>HB 362 HDI (HSCR874)</b>	Committee Referral: <b>TIA, JDL</b>	Date: <b>3-19-07</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	/			
INOUE, Lorraine R. (VC)				/
ESPERO, Will	/			
HOOSER, Gary L.				/
TANIGUCHI, Brian T.				/
TSUTSUI, Shan S.	/			
GABBARD, Mike	/			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original            Yellow            Pink File with Committee Report            Clerk's Office            Drafting Agency				

\*Only one measure per Record of Votes