



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809

January 23, 2008

LATE TESTIMONY

MEMORANDUM

TO: Honorable Joseph M. Souki, Chair
House Committee on Transportation

FROM: Lillian B. Koller, Director

SUBJECT: H. B. 2034, RELATING TO UNATTENDED CHILDREN IN MOTOR
VEHICLES

Hearing: Wednesday, January 23, 2008, 8:30 a.m.
Conference Room 309, State Capitol

PURPOSE: The purpose of H. B. 2034 is to establish the offense of leaving a child unsupervised in a motor vehicle and enact provisions that would allow law enforcement officers, firefighters and rescue team personnel to remove the unattended child from a motor vehicle and to deliver the child to the custody of child welfare services.

DEPARTMENT'S POSITION: The Department of Human Services appreciates and strongly supports the intent of this bill.

The Department is concerned that this bill defines "unsupervised" as leaving a child in a motor vehicle unaccompanied by a person of at least 12 years of age. This definition is unable to take into account the maturity of a 12 year old child, for example, as would be the case if an infant was left in a motor vehicle with a 12 year old person who has a developmental delay or other limited cognitive functioning. We

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suggest deletion of this definition in order to provide law enforcement officers, firefighters and rescue personnel with the maximum ability to respond to an unsafe situation without unnecessary restrictions.

Thank you for this opportunity to testify.



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FOURTH LEGISLATURE, 2008**

ON THE FOLLOWING MEASURE:

H.B. NO. 2034, RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES.

BEFORE THE:

HOUSE COMMITTEE ON TRANSPORTATION

DATE: Wednesday, January 23, 2008 **TIME:** 8:30 AM

LOCATION: State Capitol Room 309
Deliver to: Committee Clerk, Room 441, 5 copies

TESTIFIER(S): Mark J. Bennett, Attorney General
or Lance M. Goto, Deputy Attorney General

Chair Souki and Members of the Committee:

The Department of the Attorney General supports this measure.

The purpose of this bill is to protect children under the age of nine by making it a violation of the statewide traffic code for motor vehicle operators and adult passengers to leave a child unattended in a motor vehicle for five minutes or more. The bill requires the examiner of drivers to test driver's license applicants for knowledge of this violation and also requires lessors of rental vehicles to display the law regarding this violation in the rental vehicles.

Young children left unattended in a vehicle may be at great risk for injury or death. If mobile inside the vehicle, and able to touch vehicle controls, the children may also pose a great risk of danger to others. This bill addresses a situation with potentially devastating results.

We respectfully request the passage of this measure.

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