

STAND. COM. REP. NO. 244

Honolulu, Hawaii

Feb 13, 2009

RE: H.B. No. 1159

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1159 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this bill is to increase highway safety by establishing graduated sentencing provisions for the offense of reckless driving of a vehicle.

The Department of Transportation (DOT) testified in support of this bill. The Office of the Public Defender (OPD) testified in opposition to this measure. The Judiciary submitted comments.

In recent years, the number of incidents involving reckless driving on Hawaii's roadways has increased. According to Hawaii's Judicial Information Management System, there were 972 and 963 citations issued statewide for reckless driving in 2007 and 2008, respectively. In addition, DOT reported that the Fatality Analysis Reporting System indicated that 398 fatal motor vehicle crashes occurred in Hawaii from 2005 through 2007, with 34 per cent of those crashes attributed to characteristics of reckless driving.

Your Committee finds that reckless drivers not only endanger their own safety but the safety of all roadway users, including bicyclists and pedestrians. Establishing a graduated sentencing structure for the offense of reckless driving of a vehicle will serve as a deterrent to this type of behavior.

HB1159 HSCR TRN HMS 2009-2067



However, your Committee understands the concerns raised by OPD that the sentencing provisions may be too stringent and severe for first-time offenders and respectfully requests the Committee on Judiciary to review these concerns as this bill makes its way through the legislative process.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1159 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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



JOSEPH M. SOUKI, Chair



Record of Votes of the Committee on Transportation

Bill/Resolution No.: <i>HB 1159</i>	Committee Referral: <i>TRN, JUD, FIN</i>	Date: <i>2/11/09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	✓			
2. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HANOHANO, Faye P.	✓			
5. KEITH-AGARAN, Gilbert S.C.	✓			
6. LEE, Marilyn B.	✓			
7. NAKASHIMA, Mark M.	✓			
8. RHOADS, Karl	✓			
9. SAIKI, Scott K.	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	<i>10</i>	<i>0</i>	<i>0</i>	<i>2</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Karen Awana</i>				
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