

JAN 23 2009

A BILL FOR AN ACT

RELATING TO CRIMINAL HOMICIDE.

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

1 SECTION 1. Section 707-702.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " [†] §707-702.5 [†] Negligent homicide in the first degree.

4 (1) A person is guilty of the offense of negligent homicide in
5 the first degree if that person causes the death of another
6 person by the operation of a vehicle in a negligent manner:

7 (A) [while] While the person operating the vehicle is
8 under the influence of drugs or alcohol[-]; or

9 (B) When the person operating the vehicle causes the death
10 of another person while the other person is within a
11 crosswalk.

12 (2) Negligent homicide in the first degree is a class B
13 felony."

14 SECTION 2. Section 707-705, Hawaii Revised Statutes, is
15 amended to read as follows:

16 " [†] §707-705 [†] Negligent injury in the first degree. (1)

17 A person is guilty of the offense of negligent injury in the



1 first degree if [~~that person causes serious bodily injury to~~
2 ~~another person by~~], through the operation of a motor vehicle in
3 a negligent manner[-], that person:

4 (A) Causes serious bodily injury to another person; or

5 (B) Causes substantial bodily injury to another person
6 while the other person is within a crosswalk.


7 (2) Negligent injury in the first degree is a class C
8 felony."

9 SECTION 3. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun, before its effective date.

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

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

15

INTRODUCED BY:  **By Request**



Report Title:

Negligent Homicide; Negligent Injury; Crosswalks

Description:

Amends chapter 707 to specify that (1) the negligent operation of a vehicle that results in the death of a person who is within a crosswalk is negligent homicide in the first degree; and (2) the negligent operation of a vehicle that results in substantial bodily injury to a person who is within a crosswalk is negligent injury in the first degree.

