

Honolulu, Hawaii

Feb 1, 2010

RE: H.B. No. 2020

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2020 entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose of this bill is to ensure the safety of the public by expanding county enforcement of traffic regulations on public streets, roads, or highways whose ownership is in dispute between the State and the county, and on private streets, highways, or thoroughfares, to include laws relating to county vehicular taxes, motor vehicle safety responsibility, traffic violations, use of intoxicants while operating a vehicle, motor vehicle insurance, and odometers.

The Department of Transportation, Mayor of the County of Hawaii, County of Hawaii Police Department, and a concerned individual testified in support of this bill.

There are hundreds of miles of private roadways throughout the state that are open to the public. However, your Committee notes that questions have been raised regarding the legality of police officers enforcing traffic laws on these roadways. The District Court of the Third Circuit has questioned whether traffic laws such as those relating to seatbelt and child restraint violations, driving under the influence, and no-fault insurance requirements may be enforced on these private roads.



Your Committee finds that these circumstances present a serious public safety issue, and that laws regarding motorcycle and motor scooter insurance should also be considered among those enforceable by the counties. Thus, your Committee has amended this bill by adding article 10G of chapter 431, Hawaii Revised Statutes, relating to motorcycle and motor scooter insurance, to the provisions enforceable by the counties.

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. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2020, H.D. 1, and be referred to the Committee on Judiciary.

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



JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 9-10

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2020	Committee Referral: TRN, JUD	Date: January 27, 2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)	11	ϕ	ϕ	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
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