

Honolulu, Hawaii

Feb 5, 2010

RE: H.B. No. 2225
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. 2225 entitled:

"A BILL FOR AN ACT RELATING TO MOBILE COMMUNICATIONS,"

begs leave to report as follows:

The purpose of this bill is to increase motor vehicle safety by prohibiting the use of mobile electronic devices while operating a motor vehicle with certain exceptions.

The Department of Transportation, Honolulu Police Department, Hawaii Transportation Association, American Radio Relay League, and numerous concerned individuals testified in support of this bill. The Hawaii Automobile Dealers Association and a concerned individual supported the intent of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, AT&T, and a concerned individual provided comments.

According to the National Highway Traffic Safety Administration, distracted driving is a major contributor to vehicular crashes and near misses, and distracted drivers are 50 percent more likely to be seriously injured or killed in their crashes when compared to attentive drivers. In addition, data has shown that 80 percent of all crashes and 65 percent of near crashes involved some type of driver distraction. More sobering is the fact that in 2008, 16 percent of the total traffic fatalities in the United States accounting for some 5,870 deaths nationwide, involved some type of driver distraction.

HB2225 HD1 HSCR TRN HMS 2010-1503



The use of mobile electronic devices including cellular phones, personal digital assistants, laptop computers, paging devices, and other similar devices while operating a motor vehicle can be a major cause of distraction leading to a motor vehicle collision. Collisions due to the use of these types of devices could be avoided and personal injury and property damage eliminated if regulations existed to restrict their use while operating a motor vehicle.

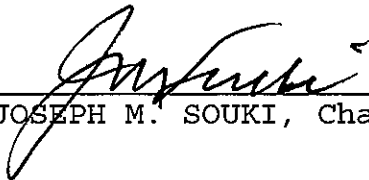
Your Committee has amended this bill by:

- (1) Clarifying that drivers who are exempt from the prohibition because they are using two-way radios while in the performance or scope of their work-related duties are also operating fleet vehicles or have a commercial vehicle license;
- (2) Including electronic equipment of capable of providing wireless audio or video communications between two or more persons under the definition of "mobile electronic device";
- (3) Providing a system of graduated penalties for violations;
- (4) Changing the effective date to July 1, 2010; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2225, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2225, 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 123-10

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2225	Committee Referral: TRN, JUD.	Date: 2/01/2010		
<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)	12	Ø	Ø	Ø
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee member(s) did not support recommendation.				
Vice Chair's or designee's signature: <u><i>Karen Awana</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				