

Honolulu, Hawaii

Feb 12, 2010

RE: H.B. No. 2296
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. 2296 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this bill is to protect the public from persons convicted of committing manslaughter or negligent homicide as the result of operating a motor vehicle by:

- (1) Clarifying that the required driver's license revocation for drivers convicted of manslaughter is a lifetime revocation; and
- (2) Mandating a license revocation of not less than five years but not more than ten years for drivers convicted of negligent homicide in the first degree.

The Department of Transportation, City and County of Honolulu Department of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, and MADD Hawaii testified in support of this bill.

Your Committee finds that lifetime driver's license revocation is justified when a driver's reckless conduct results in the death of another person and will both protect the public from these drivers and serve as a deterrent.

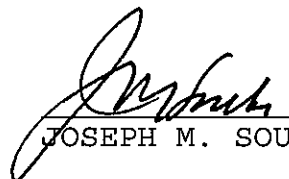


The bill also provides for a license revocation of five to ten years for drivers convicted of committing negligent homicide in the first degree while operating a motor vehicle. To make this tiered system of license revocation penalties more comprehensive, your Committee has amended this bill by adding a lesser term of revocation for drivers convicted of negligent homicide in the second degree, under which drivers have their licenses revoked for two to five years.

Technical, nonsubstantive amendments for clarity, consistency, and style were also made to the bill.

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. 2296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2296, 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 317-10

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2296	Committee Referral: TRN, JUD	Date: 2/08/2010		
<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	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				