

STAND. COM. REP. NO.

628

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1054
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1054, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit provisional licensees under the age of eighteen and holders of a temporary instruction permit who are age fifteen years and six months or older but under the age of eighteen, from engaging in various tasks not associated with operating a motor vehicle while operating a motor vehicle.

This measure applies to using a wireless telephone, including a wireless telephone equipped with a hands-free device, or any other electronic device including, but not limited to, portable video games, portable DVD players, text messengers, Palms, Treos, or Blackberries; consuming food or beverages; engaging in personal grooming that requires the use of a comb, brush, or other personal grooming device; or attempting to reach for any other object or device not related to or necessary for driving.

Your Committee finds that certain common driver distractions contribute to inattention to driving, which may result in catastrophic consequences. The problem is exacerbated among young and inexperienced drivers who are the subject of this measure.

A *Honolulu Advertiser* article of February 26, 2009, stated that a recent report of the National Highway Traffic Safety

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Administration and the Virginia Tech Transportation Institute said that nearly eighty per cent of crashes and sixty-five per cent of near-crashes involved some form of driver inattention within three seconds before the event. The primary causes of driver inattention were distracting activities, such as cell phone use. The article also reported a separate 2005 study by the Insurance Institute for Highway Safety that found drivers using phones are four times as likely to get into crashes serious enough to injure themselves.

Your Committee has amended this measure by changing the effective date to July 1, 2050 to continue discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1054, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1054, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1054, SD1	TIA, JGO	2/27/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam			✓	
TOTAL	3	0	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes