

Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 2030

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2030, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

begs leave to report as follows:

The purpose of this measure is to promote highway safety by requiring motorists, upon approaching and passing a stationary emergency vehicle with its visual signals activated, to:

- (1) Vacate the lane closest to the stationary emergency vehicle; or
- (2) Slow to a specified speed.

The State Fire Council, Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of Emergency Management of the City and County of Honolulu, Hawaii Police Department, Honolulu Police Department, Maui Police Department, Hawaii Fire Department, Honolulu Fire Department, Kauai Fire Department, The Queen's Medical Center, AAA Hawaii, Hawaii Bicycling League, Mothers Against Drunk Driving, and several individuals testified in support of this measure. The Office of the Public Defender opposed this measure. The Department of Transportation commented on this measure.



Your Committee has amended this measure by:

- (1) Dedicating this measure to the memory of Officers Garret Davis and Eric Fontes of the Honolulu Police Department;
- (2) Specifying that a motorist who is passing a stationary emergency vehicle with its visual signals on must vacate the lane directly next to, rather than closest to, the stationary emergency vehicle;
- (3) Deleting the specific speeds that a motorist must slow to in order to pass a stationary emergency vehicle with its visual signals on, and instead providing that the motorist must slow to a speed that is safe and appropriate and continue to drive at a speed no greater than is reasonable and prudent;
- (4) Changing its effective date to January 7, 2059, to encourage further discussion; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2030, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2030, H.D. 2.

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



GILBERT KEITH-AGARAN Chair



