

Honolulu, Hawaii

Feb 7 , 2012

RE: H.B. No. 2727

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

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2727 entitled:

"A BILL FOR AN ACT RELATED TO VEHICLE IMMOBILIZATION,"

begs leave to report as follows:

The purpose of this measure is to increase traffic safety by, among other things:

- (1) Authorizing the Department of Transportation to establish and administer a statewide program for the immobilization of a vehicle operated by a person whose license has been revoked or suspended for operating a vehicle under the influence of an intoxicant;
- (2) Requiring the Department of Transportation to hire a single vendor to install and maintain the vehicle immobilization device;
- (3) Establishing a process for the immobilization and towing of the vehicle of an individual who has been arrested for operating a vehicle after the individual's license and privilege has been suspended or revoked for operating a vehicle under the influence of an intoxicant;
- (4) Establishing a process for the removal of the vehicle immobilization device;



- (5) Providing graduated durations for vehicle immobilization;
- (6) Establishing penalties for persons who tamper with, or circumvent, a vehicle immobilization device; and
- (7) Requiring the Department of Transportation to contract with a vehicle immobilization device vendor to provide partial financial relief for the installation of, and other charges associated with a vehicle immobilization device, to persons requesting such assistance if certain requirements are met.

Mothers Against Drunk Driving HAWAII and the Hawaii Strategic Highway Safety Plan testified in support of this measure. The Department of Transportation and Administrative Driver's License Revocation Office testified in opposition to this measure.

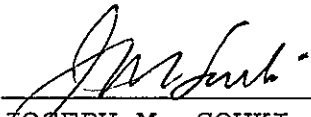
Hawaii is faced with an ever increasing problem of individuals operating motor vehicles without a valid driver's license, or with a canceled, suspended, or revoked driver's license on Hawaii's roadways. This is especially true when the suspension or revocation was the result of an alcohol or drug related incident. This presents a hazard to all motorists. Although recommended penalties to prevent recidivism in these types of cases often include impoundment and forfeiture of the driver's vehicle, many challenges and costs are associated with this type of penalty. Immobilizing a vehicle using a vehicle immobilization device such as a wheel boot is one way to solve this problem.

Although your Committee notes that numerous legal and logistical questions have been raised regarding the vehicle immobilization program contained in this measure, your Committee hopes that the parties interested in this measure may come together and work to resolve these issues and present their recommendations to the Committee on Judiciary.

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. 2727 and recommends that it pass Second Reading 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-sixth Legislature

Record of Votes of the Committee on Transportation

Bill/Resolution No.: <b>HB 2727</b>	Committee Referral: <b>TRN, JUD, FIN</b>	Date: <b>2/1/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia	/			
7. OKAMURA, Tom				/
8. SAIKI, Scott K.	/			
9. TAKUMI, Roy M.	/			
10. YAMASHITA, Kyle T.	/			
11. FONTAINE, George R.	/			
12. JOHANSON, Aaron Ling	/			
<b>TOTAL (12)</b>	<b>11</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
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