

STAND. COM. REP. NO. 2013

Honolulu, Hawaii

FEB 02 2012

RE: S.B. No. 2517
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 2517 entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATION RECORDS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the removal from certain certified traffic abstracts records of all alleged moving violations for which the disposition of the case was "dismissed with prejudice" or "not guilty", or that occurred more than ten years prior to the date of the request for the abstract, with exceptions.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments from the Judiciary.

Your Committee finds that moving violations resulting in a dismissal with prejudice or a not guilty judgment which occurred more than ten years prior to the date of a request for a certified traffic abstract, should not be included in the traffic abstract, except for commercial driver licensing traffic records. The lapsing of a period of ten years in which the accused driver for all practical intents and purposes has been exonerated should be wiped off the driving records.

Your Committee defers to the discretion of the Committee on Judiciary and Labor to address the Judiciary's objections to section 2 of this measure since it involves the administrative

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practices of the courts. Further, your Committee notes that perhaps sections 2 and 3 of this measure should be codified into section 287-3, Hawaii Revised Statutes, if the Committee on Judiciary and Labor decides to pass this measure.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2517, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,



J. KALANI ENGLISH, Chair



