



NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
www.hawaii.gov/dcca

KEALI' S. LOPEZ
DIRECTOR

EVERETT KANESHIGE
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON TRANSPORTATION

TWENTY-SIXTH LEGISLATURE
Regular Session of 2012

Wednesday, January 25, 2012
9:00 a.m.

TESTIMONY ON HOUSE BILL NO. 1790 – RELATING TO MOTOR VEHICLES

TO THE HONORABLE JOSEPH M. SOUKI CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner ("Commissioner"), testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department takes no position on this bill and offers the following comments.

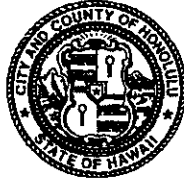
The Department's testimony will be limited to section 5 of the bill, which proposes to require the towing of a vehicle involved at the time of any citation for any violation of any applicable provision of article 10C, chapter 431, Hawaii Revised Statutes ("Article 10C"). The tow would be at the expense of the registered owner of the vehicle.

The Department is concerned that impounding a vehicle under section 5 may be an extreme penalty in light of the offenses contemplated (e.g., when a vehicle is covered under article 10C, but the current insurance card is not in the vehicle at the time of violation). In addition, section 5 would be difficult to enforce and may actually discourage police officers from citing violators because of the time, effort, and costs involved in towing and storing vehicles.

We thank this Committee for the opportunity to present testimony on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



PETER B. CARLISLE
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE KK-GR

January 25, 2012

The Honorable Joseph M. Souki, Chair
and Members
Committee on Transportation
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Souki and Members:

Subject: House Bill No. 1790, Relating to Motor Vehicles

I am Kurt Kendro, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

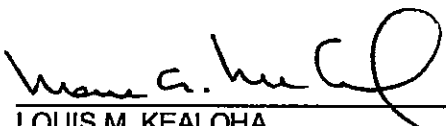
The HPD supports the passage of House Bill No. 1790, Relating to Motor Vehicles. Passage of this bill would require that a vehicle used by a person cited or arrested for driving without a license, driving while license suspended or revoked or for operating a vehicle under the influence of an intoxicant or without proof of insurance be towed at the owner's expense.

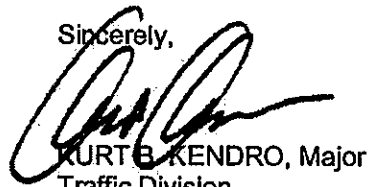
The HPD recommends that the requirement of proof of insurance be removed from this bill. Although it is a common practice for drivers to put the current insurance identification card into their vehicle, some drivers simply forget to do so. In addition, there is no way for police to check on the validity of a driver's proof of insurance.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


LOUIS M. KEALOHA
Chief of Police


KURT B. KENDRO, Major
Traffic Division



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
www.maddhawaii.com

January 25, 2012

To: Representative Joseph M. Souki, Chair –House Committee on Transportation;
Representative Linda Ichiyama, Vice Chair and members of the Committee

From: Arkie Koehl/Carol McNamee—Co-chairmen, Public Policy Committee - MADD
Hawaii

Re: House Bill 1790 – Relating to Motor Vehicles

I am Arkie Koehl, offering testimony on behalf of the Hawaii members of Mothers Against Drunk Driving regarding HB 1790. This bill amends Section 286-132 of the HRS, and may therefore strengthen the sanctions for driving with a revoked or suspended driver's license when the suspension or revocation was the result of OVUII, Operating a Vehicle under the Influence of an Intoxicant.

MADD Hawaii supports strong vehicle sanctions for unlicensed driving. We prefer the immobilization measures proposed in HB 1669 and another bill shortly to be submitted, because we believe that immobilization offers a stronger disincentive to unlicensed driving than towing for an undetermined, and possibly very short, period of time.

Thank you for this opportunity to testify.