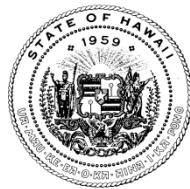


**SB2971**

NEIL ABERCROMBIE  
GOVERNOR



GLENN M. OKIMOTO  
DIRECTOR

Deputy Directors  
FORD N. FUCHIGAMI  
JADE BUTAY  
RANDY GRUNE  
JADINE URASAKI

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 3, 2012

**SB 2971**  
**RELATING TO VEHICLES**

SENATE COMMITTEE ON JUDICIARY AND LABOR

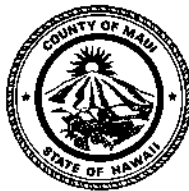
The Department of Transportation is in support of Senate Bill No. 2971 that will define "vehicle" in chapter 707 to be the same as in section 291E-1. It amends negligent injury offenses to include bodily injury to another person caused by the operation of a moped or vessel in a negligent manner.

Due to the increasing incidents involving the negligent operations of mopeds and vessels (jet skis), this bill will make operators more accountable for their actions when it involves the safety of others when operating these types of vehicles.

The Department of Transportation urges your committee to pass Senate Bill No. 2971 which will make operators of these types of vehicles more accountable for their actions and to save lives on roadways and waterways.

Thank you for the opportunity to provide testimony.





DEPARTMENT OF THE PROSECUTING ATTORNEY  
COUNTY OF MAUI  
150 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

CONTACT: RICHARD. K. MINATOYA  
Deputy Prosecuting Attorney  
Supervisor, Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY

ON

SB 2971 - RELATING TO VEHICLES

February 3, 2012

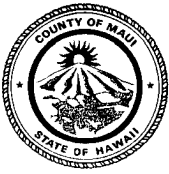
The Honorable Clayton Hee  
Chair  
The Honorable Maile S.L. Shimabukuro  
Vice Chair  
and Members

Chair Hee, Vice Chair Shimabukuro and Members of the Committee:

SB 2971, Relating to Vehicles, proposes to create a definition of "vehicle" in Hawaii Revised Statutes ("HRS") Chapter 707 that is identical to HRS Chapter 291E, and change "motor vehicle" in the negligent injury statutes to "vehicle." This will make clear that the operation of mopeds and vessels are included in the negligent homicide statutes, and allow negligent injury statutes to include the operation of mopeds and vessels.

The Department of the Prosecuting Attorney, County of Maui, SUPPORTS the passage of this bill. Within the past year, we had two fatalities in Maui County waters involving boats versus swimmers/divers incidents. Also during this time, we had one boat versus swimmer incident resulting in the partial amputation of an arm. This is in addition to numerous reported "near miss" incidents. Also, we are aware of fatalities in moped collisions on Oahu. This bill will make clear that the operation of vessels and mopeds are included in the negligent homicide statutes. It will also add the operation of vessels and mopeds to the negligent injury statutes. We believe that this will result in increased operator awareness and safety on our streets and waters. We ask that the committee PASS SB 2971.

Thank you very much for the opportunity to provide testimony on this bill.



**ALAN M. ARAKAWA**  
MAYOR

OUR REFERENCE  
YOUR REFERENCE

# **POLICE DEPARTMENT**

## **COUNTY OF MAUI**

**55 MAHALANI STREET**  
**WAILUKU, HAWAII 96793**  
**(808) 244-6400**  
**FAX (808) 244-6411**



**GARY A. YABUTA**  
CHIEF OF POLICE

**CLAYTON N.Y.W. TOM**  
DEPUTY CHIEF OF POLICE

February 1, 2012

The Honorable Clayton Hee, Chair  
and Members of the Committee on Judiciary and Labor  
The Senate  
State Capitol  
Honolulu, HI 96813

Re: SB 2971 Relating to Vehicles

Dear Chair Hee and Members of the Committee:

The Maui Police Department is in support of SB 2971. This bill clarifies the definition of "vehicle" for HRS Chapter 707 and change "motor vehicle" to "vehicle" in the negligent injury statutes, to make operators of mopeds and vessels subject to the negligent homicide and negligent injury, in addition to motor vehicles. These changes will improve the applicability of this law and enhance a tool for the judicial system as a whole.

The Maui Police Department asks for your support for SB 2971.

Thank you for the opportunity to testify.

Sincerely,

  
**GARY A. YABUTA**  
Chief of Police



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

February 3, 2012

To: Senator Clayton Hee, Chairman, Senate Committee on Judiciary & Labor;  
Senator Maile Shimabukuro, Vice Chair, and members of the Committee

From: Arkie Koehl — Co-chair, Public Policy Committee - MADD Hawaii

Re: Senate Bill 2971 – Relating to Vehicles

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I am Arkie Koehl, offering testimony on behalf of the Hawaii members of Mothers Against Drunk Driving in support of SB 2971, which conforms the term “vehicle” to section 291E-1. It amends negligent injury offenses to include bodily injury to another person caused by the operation of a moped or vessel in a negligent manner.

By making operators more accountable for the safety of others while operating these types of vehicles, the measure will surely have a positive impact on impaired driving and on the safety of Hawaii residents and visitors.

We urge the committee to pass Senate Bill 2971.

Thank you for this opportunity to testify.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [Victor.Ramos@mpd.net](mailto:Victor.Ramos@mpd.net)  
**Subject:** Testimony for SB2971 on 2/3/2012 10:00:00 AM  
**Date:** Tuesday, January 31, 2012 2:51:12 PM

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Testimony for JDL 2/3/2012 10:00:00 AM SB2971

Conference room: 016  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Victor K. Ramos  
Organization: Individual  
E-mail: [Victor.Ramos@mpd.net](mailto:Victor.Ramos@mpd.net)  
Submitted on: 1/31/2012

Comments:

The passage of this bill will enhance law enforcement of related incidents.