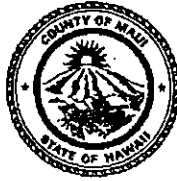


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TESTIMONY

ON

SB 2971 - RELATING TO VEHICLES

March 27, 2012

The Honorable Gilbert S. C. Keith-Agaran
Chair
The Honorable Karl Rhoads
Vice Chair
and Members
House Committee on Judiciary

Chair Keith-Agaran, Vice Chair Rhoads 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.

TO: Members of the Committee on Judiciary

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

MEETING: 2 p.m. Tuesday, March 27, 2012

SUBJECT: Vehicles & Negligent Injury - **SUPPORT**

Aloha Chair and Committee Members,

Thank you for allowing me to provide testimony in support of SB 2971 which changes the definition of "vehicle" to include mopeds and vessels. I support this change and ask you to consider including bicycles as well. Last year a bicyclist in San Francisco killed a pedestrian who was in a crosswalk after the bicyclist allegedly ran a red light. Bicyclists should also be held accountable if they are negligent and cause injury or death to someone else.