

Honolulu, Hawaii

FEB 14 2013

RE: S.B. No. 693
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Transportation and International Affairs and Public Safety, Intergovernmental and Military Affairs and Technology and the Arts, to which was referred S.B. No. 693 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

beg leave to report as follows:

The purpose and intent of this Act is to establish a three-year pilot photo red light imaging detector system program to improve enforcement of the traffic signal laws in all counties with a population in excess of 600,000 and make an appropriation for the implementation and operation of the program.

Your Committees received testimony in support of this measure from the Department of Transportation, State Highway Safety Council, Mothers Against Drunk Driving, Hawaii Bicycling League, ThinkTech Hawaii, Safe Community of Maui, and two individuals. Your Committees received testimony in opposition to this measure from the State Public Defender, American Civil Liberties Union of Hawai'i, Hawaii Transportation Association, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that the prevalence of drivers violating Hawaii's traffic laws, especially on the island of Oahu, has become intolerable, particularly drivers who run red lights. These violations endanger the lives of motorists and pedestrians and compound the already hazardous conditions on Hawaii's roads and



highways. It has become increasingly common to hear reports of hit-and-run drivers who have run over children or the elderly. Disregarding traffic signals has also been the common denominator in recent highly publicized motor vehicle crashes that have claimed lives.

Photo red light imaging detector systems are mechanical and impersonal. Many jurisdictions have banned automated traffic enforcement on constitutional grounds because there is no certifiable witness to the violation and the driver is not positively identified. With photo red light imaging detector systems, a camera is positioned at intersections where red light violations are a major cause of collisions and serves as a twenty-four hour deterrent. Sensors are buried under a crosswalk and lead to a self-contained camera system mounted on a nearby structure. When a vehicle enters the intersection and the traffic light is red, the camera takes a telephoto color picture of the rear of the car, capturing the license plate. A second wide-angle photograph captures the entire intersection, including other traffic.

Your Committees have amended this measure by:

- (1) Deleting the establishment of the photo red light imaging detector program account within the general fund and specifying instead that all revenues from fines for violation of the photo red light imaging detector system shall be deposited into the general fund;
- (2) Deleting the appropriation for implementation and operation of the pilot photo red light imaging detector system program;
- (3) Inserting language relating to highway safety to:
 - (A) Amend section 249-7(b), Hawaii Revised Statutes, to require that motorcycles have a license plate displayed on the front as well as on the back of the motorcycle (mopeds are not required to have license plates); and
 - (B) Amend section 291C-32(a), Hawaii Revised Statutes, to require the length of the steady yellow indication to be sufficient to allow trucks to pass



through the intersection before a steady red indication commences;

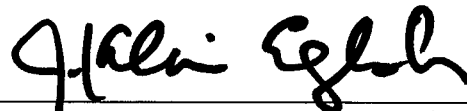
- (4) Clarifying the purpose section to conform to the amendments;
- (5) Inserting an effective date to July 1, 2050, to encourage further discussions in this matter; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Public Safety, Intergovernmental and Military Affairs and Technology and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 693, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 693, S.D. 1, and be referred to the Committee on Ways and Means.

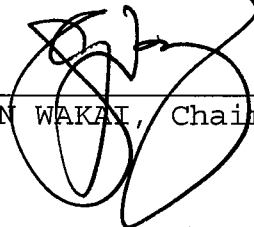
Respectfully submitted on behalf of the members of the Committees on Transportation and International Affairs and Public Safety, Intergovernmental and Military Affairs and Technology and the Arts,



WILL ESPERO, Chair



J. KALANI ENGLISH, Chair




GLENN WAKAI, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

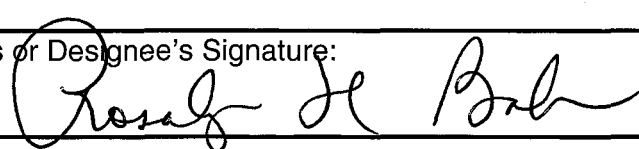
Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 693	TIA/PSM/TEC, WAM	2-11-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓	✓		
DELA CRUZ, Donovan M. (VC)				✓
ESPERO, Will	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓	✓		
KEITH-AGARAN, Gilbert S.C.		✓		
KOUCHI, Ronald D.		✓		
SOLOMON, Malama		✓		
SLOM, Sam				✓
TOTAL	9 ^A	5		2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* SB 693	Committee Referral: TIA/PSM/TEC, WAM	Date: 2-11-2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, Josh				✓
SLOM, Sam			✓	
TOTAL	2	-	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:* <i>SB 693</i>	Committee Referral: <i>TEC/RS/M/TEC, WAM</i>	Date: <i>2-11-13</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
GABBARD, Mike	✓			
TOKUDA, Jill N.				✓
SLOM, Sam			✓	
TOTAL	<i>3</i>	<i>0</i>	<i>1</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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