
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE DRIVER LICENSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In the United States, motor vehicle accidents
2 are the leading cause of death for teens sixteen to nineteen
3 years of age. Drivers sixteen to seventeen years old have the
4 highest rate of involvement in motor vehicle accidents resulting
5 in the death of the occupants of other vehicles and non-
6 motorists. In 2010, sixteen people were killed in motor vehicle
7 accidents involving teen drivers in Hawaii. Over the past five
8 years, Hawaii motor vehicle accidents involving teen drivers
9 claimed one hundred lives. Nationally, since 2000, more than
10 eighty-five thousand people have been killed in motor vehicle
11 accidents involving teen drivers.

12 Drivers who hold instruction permits are not subject to
13 having their instruction permit revoked or suspended upon
14 committing a traffic violation that is unrelated to alcohol,
15 unlike those who hold a provisional license. Provisional
16 licenses are issued only to certain drivers under the age of
17 eighteen, while instruction permits are available to individuals
18 aged fifteen years and six months or older.



1 The purpose of this Act is to improve highway safety by
2 authorizing courts to suspend or revoke instruction permits in a
3 manner similar to the suspension or revocation of a provisional
4 license for a driver who commits a traffic offense.

5 SECTION 2. Chapter 286, Hawaii Revised Statutes, is
6 amended by adding three new sections to part VI to be
7 appropriately designated and to read as follows:

8 "§286- Instruction permits; penalties for persons under
9 eighteen years of age. (a) If a person under eighteen years of
10 age who holds an instruction permit violates any of the
11 requirements of section 286-110(d) or (e):

12 (1) For a first infraction or violation of any
13 requirement, the instruction permit shall be suspended
14 for a period of three months by a district court or
15 family court judge. If the person's instruction
16 permit is suspended, the person shall not be eligible
17 for reissuance of the instructional permit until:

18 (A) The person is eighteen years of age; or

19 (B) Three months have elapsed since the date of
20 suspension,

21 whichever is later, and the person has otherwise
22 satisfied the requirements of this chapter; and



1 (2) For a second or any subsequent infraction or violation
2 of any requirement, the instruction permit shall be
3 revoked for six months by a district court or family
4 court judge. If the person's instruction permit is
5 revoked, the person shall not be eligible for
6 reissuance of the instruction permit until:

7 (A) The person is eighteen years of age; or

8 (B) Six months have elapsed since the date of
9 revocation,

10 whichever is later, and the person has otherwise
11 satisfied the requirements of this chapter.

12 Suspension or revocation of an instruction permit pursuant to
13 this subsection shall be exempt from proof of financial
14 responsibility requirements under section 287-20.

15 (b) If a person under eighteen years of age who holds an
16 instruction permit is adjudicated of an offense relating to the
17 operation of a motor vehicle other than the requirements of
18 section 286-110(d) or (e):

19 (1) For a first infraction or violation, the instruction
20 permit shall be suspended or revoked by a district
21 court or family court judge, in addition to any other
22 penalties that may be prescribed by law. If the



1 person's instruction permit is suspended or revoked,
2 the person shall not be eligible for reissuance of the
3 instruction permit or issuance of a provisional
4 license or driver's license until:

5 (A) The person is eighteen years of age; or

6 (B) Six months have elapsed since the date of
7 suspension or revocation,

8 whichever is later, and the person has otherwise
9 satisfied the requirements of this chapter; and

10 (2) For a second or any subsequent infraction or
11 violation, the instruction permit shall be revoked for
12 one year by a district court or family court judge, in
13 addition to any other penalties that may be prescribed
14 by law. If the person's instruction permit is
15 revoked, the person shall not be eligible for
16 reissuance of the instruction permit or issuance of a
17 provisional license or driver's license until:

18 (A) The person is eighteen years of age; or

19 (B) One year has elapsed since the date of
20 revocation,

21 whichever is later, and the person has otherwise
22 satisfied the requirements of this chapter.



1 §286- Instruction permits; penalties for persons
2 eighteen years of age and older. (a) If a person eighteen
3 years of age or older who holds an instruction permit violates
4 any of the requirements of section 286-110(d) or (e) applicable
5 to persons eighteen years and older:

6 (1) For a first infraction or violation of a requirement,
7 the instruction permit shall be suspended for a period
8 of three months by a district court judge. If the
9 person's instruction permit is suspended, the person
10 shall not be eligible for reissuance of the
11 instructional permit until three months have elapsed
12 since the date of suspension and the person has
13 otherwise satisfied the requirements of this chapter;
14 and

15 (2) For a second or any subsequent infraction or violation
16 of any requirement, the instruction permit shall be
17 revoked for six months by a district court judge. If
18 the person's instruction permit is revoked, the person
19 shall not be eligible for reissuance of the
20 instruction permit until six months have elapsed since
21 the date of revocation and the person has otherwise
22 satisfied the requirements of this chapter.



1 Suspension or revocation of an instruction permit pursuant to
2 this subsection shall be exempt from proof of financial
3 responsibility requirements under section 287-20.

4 (b) If a person eighteen years of age or older who holds
5 an instruction permit is adjudicated of an offense relating to
6 the operation of a motor vehicle other than the requirements of
7 section 286-110(d) or (e):

8 (1) For a first infraction or violation, the instruction
9 permit shall be suspended or revoked by a district
10 court judge, in addition to any other penalties that
11 may be prescribed by law. If the person's instruction
12 permit is suspended or revoked, the person shall not
13 be eligible for reissuance of the instruction permit
14 or issuance of a driver's license until six months
15 have elapsed since the date of suspension or
16 revocation, and the person has otherwise satisfied the
17 requirements of this chapter; and

18 (2) For a second or any subsequent infraction or
19 violation, the instruction permit shall be revoked for
20 one year by a district court judge, in addition to any
21 other penalties that may be prescribed by law. If the
22 person's instruction permit is revoked, the person



1 shall not be eligible for reissuance of the
 2 instruction permit or issuance of a provisional
 3 license or driver's license until one year has elapsed
 4 since the date of revocation, and the person has
 5 otherwise satisfied the requirements of this chapter.

6 §286- Notification by the family and district courts.

7 Notwithstanding any other provision of law to the contrary, for
 8 the purposes of sections 286- and 286- , the district
 9 court and family court shall notify the examiner of drivers of
 10 all persons who have pending infractions, violations, or
 11 proceedings that may result in the suspension or revocation of
 12 the instruction permit, and any pending adjudication of an
 13 offense relating to the operation of a motor vehicle."

14 SECTION 3. This Act does not affect rights and duties that
 15 matured, penalties that were incurred, and proceedings that were
 16 begun before its effective date.

17 SECTION 4. New statutory material is underscored.

18 SECTION 5. This Act shall take effect upon its approval.

19

INTRODUCED BY: Cindy Evans

 Deborah
 Mel Carroll
 Johnnie
 Vivian E.
 Kareem
 R.



H.B. NO. 133

Report Title:

Motor Vehicle Licensing; Instruction Permit; Penalties

Description:

Authorizes courts to revoke or suspend instruction permits for drivers who commit traffic offenses.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 11, 2013 12:43 AM
To: TRNtestimony
Cc: chad@hbl.org
Subject: Submitted testimony for HB133 on Feb 13, 2013 10:00AM

HB133

Submitted on: 2/11/2013

Testimony for TRN on Feb 13, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Taniguchi	Hawaii Bicycling League	Support	No

Comments: The Hawaii Bicycling League supports this bill. Everyone has the right to be safe on Hawaii's roads. This means that anyone who has proven to disrespect the safety of other road users by committing traffic offenses (and therefore being an unsafe user of the roads) should be subject to losing b their privilege to use the roads. Only by taking this kind of attitude can we as a society seriously hope to have zero deaths on our highways. As a bicycling organization composed of vulnerable road users, the last thing we need is someone who has proven to be incapable of following the law while operating a 2,000 - 15,000 pound weapon to continue doing so without remedial education, training, or reflection. If that person were to hit a pedestrian with 5 pounds of clothes or bicyclist with 25 pounds of metal bike for protection, serious injury or death would occur. Only when we as a society get serious, that driving is a privilege to be exercised with the utmost of care, will the roads be safe for all users. Sincerely yours, Chad Taniguchi Executive Director

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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ichiyama1 - Tate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 11, 2013 11:25 AM
To: TRNtestimony
Cc: surferseal415@gmail.com
Subject: *Submitted testimony for HB133 on Feb 13, 2013 10:00AM*

HB133

Submitted on: 2/11/2013

Testimony for TRN on Feb 13, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
naomi lee	Individual	Support	No

Comments:

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Testimony on HB 133

Aloha

I am in favor of the intent of this bill to require that a used car dealer have a legal physical location, however I am not in favor of it being all inclusive with HRS 437.

I believe it would put undue strain on the system and the used car dealer, I suggest the bill be simplified and only require and verify a physical site location that is zoned accordingly.

Thank you very much

Kimo Pierce
Used Car Dealer
808 864 4362