

SB 574

RELATING TO EXCESSIVE SPEEDING.

Authorizes the court to order forfeiture of any vehicle owned by the defendant if it was used in the commission of the excessive speeding offense and if the defendant has at least two prior excessive speeding convictions



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

February 6, 2013
1:17 p.m.
State Capitol, Conference Room 224

S.B. 574
RELATING TO EXCESSIVE SPEEDING

Senate Committee on Transportation and International Affairs

The Department of Transportation (DOT) takes a serious approach to the violation of excessive speeding as it causes death, serious injury, and extensive damage to property.

Therefore, the **DOT supports SB 574** because it would have a more meaningful deterrent for that violation to be committed again by that person.

This penalty would be a significant deterrent for a person who has committed the violation of excessive speeding more than twice. This will reduce the risk of death, serious injury, and property damage on our highways. The department would like to clarify the bill by noting that the description of the bill does not match the contents of the bill as printed. If the bill is meant to seize and forfeit the vehicle used in the commission of the violation, it is not mentioned within the bill. Should the intent of the bill be to forfeit the vehicle then the department of transportation would oppose SB 574 for lack of facilities and resources to store the vehicle.

Thank you for the opportunity to provide testimony.



**Testimony of
Gary Slovin / Mihoko Ito
on behalf of
EAN Holdings, LLC**

DATE: February 5, 2013

TO: Senator J. Kalani English
Chair, Committee on Transportation and International Affairs
Via Email: TIAtestimony@capitol.hawaii.gov

RE: **S.B. 574** – Relating to Excessive Speeding
Hearing Date: Wednesday, February 6, 2013 at 1:17 pm
Conference Room 224

Dear Chair English and Members of the Committee on Transportation and International Affairs:

We submit this testimony on behalf of EAN Holdings, LLC, operating Enterprise Rent-A-Car, Alamo Rent-A-Car and National Car Rental in Hawaii (collectively referred to as “Enterprise”).

Enterprise submits **comments on S.B. 574**, which authorizes the court to order forfeiture of any vehicle owned by the defendant if it was used in the commission of the excessive speeding offense and if the defendant has at least two prior excessive speeding convictions

This measure as drafted authorizes the court to order the posting of a bond equal to the market value of the vehicle used in the commission of the offense of excessive speeding, following two prior convictions of the same. If the intent is to allow forfeiture of a vehicle in place of the bond (as stated in the description), EAN believes that the language should be made clear that the vehicle must be owned by the defendant, and that vehicles owned by a third party (including rental cars) are excluded.

Thank you for the opportunity to submit testimony on this measure.

Gary M. Slovin
Mihoko E. Ito
Christine Ogawa Karamatsu
Tiffany N. Yajima

1099 Alakea Street, Suite 1400
Honolulu, HI 96813
(808) 539-0840

Sharon Lum Ho

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 01, 2013 4:34 PM
To: TIATestimony
Cc: Hsphi@aol.com
Subject: *Submitted testimony for SB574 on Feb 6, 2013 13:17PM*

SB574

Submitted on: 2/1/2013

Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Frolik	Individual	Oppose	No

Comments:

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov