

Honolulu, Hawaii

March 20, 2014

RE: S.B. No. 2729
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2729, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MOBILE ELECTRONIC DEVICES,"

begs leave to report as follows:

The purpose of this measure is to make clarifying amendments to the mobile electronic device law, specifically by:

- (1) Prohibiting the operation of a motor vehicle while using a mobile electronic device held in a person's hand for making or receiving a non-emergency call, texting, or receiving a text message;
- (2) Adding an exemption for drivers of vehicles that are at a complete stop, in a safe location by the side of the road, and out of the way of traffic;
- (3) Removing the violation graduated scale for penalties; and
- (4) Specifying that the violation of the mobile electronic device law is a traffic infraction.

Two concerned individuals testified in support of this measure. The Department of Transportation and the Honolulu Police Department testified in opposition to this measure. The



Department of the Prosecuting Attorney of the City and County of Honolulu commented on this measure.

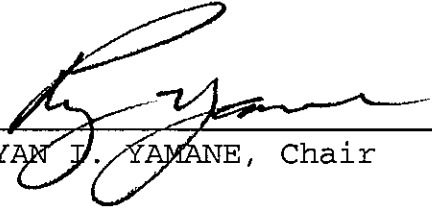
Your Committee has amended this measure by:

- (1) Removing the amendments that limit the prohibition to operating a motor vehicle while using a mobile electronic device held in a person's hand for making or receiving a non-emergency call or text message;
- (2) Removing the exemptions to the prohibition;
- (3) Deleting the amendments made to the definitions "operate", "texting", and "use" or "using";
- (4) Changing the fine for violation to not less than \$250 to be deposited into the State Highway Fund, or \$400 if in a school zone or construction area, to be deposited into the State general fund;
- (5) Specifying that this measure shall supersede any county ordinance regulating the use or utilization of mobile electronic devices while operating a motor vehicle;
- (6) Adding a savings clause;
- (7) Changing the effective date to January 1, 2150, to facilitate further discussion; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2729, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2729, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Transportation,



RYAN J. YAMANE, Chair



