

Honolulu, Hawaii

**April 28**, 2016

RE: H.B. No. 1747  
H.D. 1  
S.D. 1  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1747, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Allow a police officer to have a motor vehicle towed and impounded if the operator of the motor vehicle is arrested or cited for various traffic offenses, including driving under the influence of an intoxicant, with certain exceptions; and



- (2) Provide notice and administrative hearing requirements for the lien holder or registered owner to recover possession of the impounded motor vehicle or demand an administrative hearing to contest the basis given for the impoundment of the motor vehicle.

Your Committee on Conference finds that numerous drivers are cited each year for offenses such as operating a vehicle without a license, operating a vehicle with a suspended or revoked license, and operating a vehicle under the influence of an intoxicant. Unfortunately, many of these drivers continue to operate their motor vehicles immediately after receiving these citations. While allowing police officers to tow and impound a motor vehicle if the operator of that motor vehicle is arrested or cited for certain traffic offenses may act as a deterrent to this type of activity and make Hawaii's roadways safer, your Committee on Conference finds that this action should be limited to serious traffic offenses.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Limiting the traffic violations for which a police officer may have a motor vehicle towed and impounded to when the driver of the vehicle is cited or arrested for operating a vehicle under the influence of an intoxicant and operating a vehicle after consuming a measurable amount of alcohol when the driver is under the age of 21;
- (2) Providing that the arresting officer must have reason to believe the arrested person is likely to return to the vehicle and continue to drive under the influence after being released from custody; and
- (3) Changing its effective date from July 1, 2030, to upon its approval.

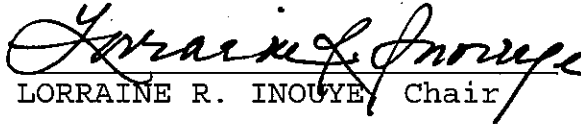
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1747, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1.




Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

  
LORRAINE R. INOUE, Chair

  
HENRY J.C. AQUINO, Co-Chair

  
CLARENCE K. NISHIHARA, Co-  
Chair

  
KARL RHOADS, Co-Chair

  
GILBERT S.C. KEITH-AGARAN,  
Co-Chair



