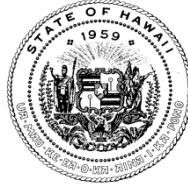


# SB 364

## RELATING TO TRAFFIC VIOLATIONS

Increases the fine for failure to use  
a seat belt.

DAVID Y. IGE  
GOVERNOR



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

February 8, 2017  
2:00 p.m.  
State Capitol, Room 225

**S.B. 364**  
**RELATING TO TRAFFIC VIOLATIONS**

Senate Committee on Transportation and Energy

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The Hawaii Department of Transportation (HDOT) strongly **supports** S.B. 364 to increase traffic fines for those riding unrestrained in a motor vehicle.

The HDOT recognizes the need to protect all occupants riding in a motor vehicle on our roads. Increasing the fines will help change attitudes and behavior to improve compliance with Hawaii's seat belt law that will save lives and reduce injuries so that all roadways users will "arrive alive."

Despite Hawaii's universal seat belt law, too many drivers and passengers still do not wear their seat belts and County police department statistics reveal that unrestrained motor vehicle occupants continue to be a problem. During the 2015 and 2016 federal fiscal years (FFY), the four county police departments issued the following number of citations:

FFY 2016 (October 1, 2015 – September 30, 2016): 14,979  
FFY 2015 (October 1, 2014 – September 30, 2015): 13,934

Research confirms that using seat belts and child safety seats is still the single most effective way to reduce injuries and save lives in motor vehicle crashes. When properly used, seat belts and child safety seats have been proven to save lives and reduce injuries.

According to preliminary 2016 State data, there were 64 motor vehicle occupant fatalities. Of those fatalities, 22 or 34 percent, were not wearing their seat belts. In addition, 20 motor vehicle occupant fatalities were reported as "unknown" seat belt use.

**Testimony by:**  
FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

In 2015, 37 motor vehicle occupant died in fatal motor vehicle crashes statewide. Of those fatalities, 15 or 41 percent were unrestrained. About 45 percent of these deaths could have been prevented if they had used their seat belts. That's approximately 7 more lives that could have been saved had seat belts been used.

National statistics show:

- Motor vehicle crashes are responsible for more deaths than violent crimes. In 2014, 1 motor vehicle fatality occurred every 16 minutes, compared to 1 murder every 37 minutes. Additionally, 1 person was injured in a motor vehicle crash every 13 seconds compared to 1 violent crime every 26.3 seconds.
- If all passenger vehicle occupants 5 years of age and older involved in fatal crashes had worn their seat belts, an additional 2,814 lives could have been saved in 2014 alone.
- Among young adults ages 18 to 34 killed in motor vehicle crashes, 57 percent were unrestrained – one of the highest percentages for all age groups.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE LORRAINE R. INOUE, CHAIR**  
**SENATE COMMITTEE ON TRANSPORTATION**  
**Twenty-Ninth State Legislature**  
**Regular Session of 2017**  
**State of Hawai`i**

February 8, 2017

**RE: S.B. 364; RELATING TO TRAFFIC VIOLATIONS.**

Chair Inouye, Vice-Chair Dela Cruz and members of the Senate Committee on Transportation, the Department of the Prosecuting Attorney of the City & County of Honolulu (“Department”) submits the following testimony in opposition to S.B. 364.

The purpose of S.B. 364 is to increase the fines for failure to use a seatbelt, from \$45 to \$135.

While we understand there are significant potential dangers and risks associated with this type of behavior, we do not believe that higher fines are necessarily the answer to deterring or educating the public about this. Based on our experience, we anticipate that a mandatory fine of \$135—three times the current fine for this offense—would inevitably force more cases to trial, which would add more congestion to the current voluminous caseloads at District Court, and potentially overwhelm the courts and our Department’s resources.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes the passage of S.B. 364. Thank you for the opportunity to testify on this matter.

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**To:** TRE Testimony  
**Cc:** jamesjtz@aol.com  
**Subject:** \*Submitted testimony for SB364 on Feb 8, 2017 14:00PM\*

**SB364**

Submitted on: 2/4/2017

Testimony for TRE on Feb 8, 2017 14:00PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Gauer	Individual	Support	No

Comments:

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**To:** TRE Testimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB364 on Feb 8, 2017 14:00PM\*

**SB364**

Submitted on: 2/3/2017

Testimony for TRE on Feb 8, 2017 14:00PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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**To:** TRE Testimony  
**Cc:** victor.ramos@mpd.net  
**Subject:** \*Submitted testimony for SB364 on Feb 8, 2017 14:00PM\*

**SB364**

Submitted on: 2/7/2017

Testimony for TRE on Feb 8, 2017 14:00PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Support	No

Comments:

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