

Honolulu, Hawaii

FEB 12 2018

RE: S.B. No. 2551

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Transportation and Energy, to which was referred S.B. No. 2551 entitled:

"A BILL FOR AN ACT RELATED TO RESISTING AN ORDER TO STOP A MOTOR VEHICLE,"

begs leave to report as follows:

The purpose and intent of this measure is to remove resisting an order to stop a motor vehicle in the first degree from the list of exempted offenses for which criminal charges may be brought by written information.

Your Committee received testimony in support of this measure from the Honolulu Police Department and Department of the Prosecuting Attorney, County of Maui.

Your Committee finds that this measure would provide the opportunity to provide facts establishing probable cause by way of declaration, instead of requiring law enforcement officers to appear in court to testify at preliminary hearings or before a grand jury. This will provide for a quicker charging process and eliminate the need for a preliminary hearing, freeing up court and law enforcement resources. Your Committee notes that all the offenses of resisting an order to stop a motor vehicle in the first degree on Maui last year had a companion charge that would not have needed a court appearance, and it was only because of the resisting an order offense that a preliminary hearing or grand jury was required.



As affirmed by the record of votes of the members of your Committee on Transportation and Energy that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2551 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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


LORRAINE R. INOUYE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SB 2551	Committee Referral: TRE, JDC	Date: 2/7/2018		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	✓			
ESPERO, Will (VC)	/			
ENGLISH, J. Kalani	/			
HARIMOTO, Breene	/			
SHIMABUKURO, Maile S.L.	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Will Espero</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes