

STAND. COM. REP. NO.

766

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 261
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 261 entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to improve public health in the State.

Specifically, the measure:

- (1) Prohibits smoking in a motor vehicle in which a person under the age of eighteen is present; and
- (2) Requires the Department of Health to report to the Legislature on the enforceability and coordination of data collection efforts of the respective law enforcement agencies.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Police Department, Hawaii Public Health Institute, Hawaii Public Health Association, American Heart Association, Hawaii Children's Action Network, Student Health Advisory Council, and seventy-six individuals. Written comments in opposition were received from the Hawaii Smokers Alliance and three individuals. One individual submitted written comments on the measure.




Your Committee finds that children need to be protected from secondhand smoke, particularly when they have no choice but to ride in a vehicle with a parent or other person who chooses to smoke in the confines of the vehicle. Your Committee notes that the County of Hawaii already prohibits smoking in a vehicle occupied by a person under eighteen years of age. Arkansas, California, Louisiana, Maine, Oregon, Utah, Vermont, and Virginia, as well as Puerto Rico, have all passed smoke-free vehicle laws to protect minors. Your Committee believes that this measure will reduce the damaging health effects of exposing children to secondhand smoke by providing a deterrent to the exposure.

Your Committee has amended this measure by clarifying that the Department of Health's report to the Legislature relates to the smoking ban established by this measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 261, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 261, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 261	Committee Referral: TRE/CPH, WAM	Date: 24 Feb 2017		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
KAHELE, Kaiali'i				/
RIVIERE, Gil			/	
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
TOTAL	7		1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Kalani English</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes