

Honolulu, Hawaii

FEB 14 2019

RE: S.B. No. 1344

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 1344 entitled:

"A BILL FOR AN ACT RELATING TO DEBT,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations. This measure does not affect driver's license suspensions related to excessive speeding or lack of motor vehicle insurance.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that existing law allows for the imposition of restrictions on an individual's ability to obtain or renew a driver's license or motor vehicle registration as a penalty for various unpaid monetary obligations that are civil and not criminal in nature. The most concerning reason for these punitive restrictions is the failure of an individual to pay the fines and fees assessed in connection with non-parking related traffic tickets within thirty days. Your Committee finds that the American Bar Association recently adopted guidelines on preventing



finest and fees that penalize poverty. These guidelines instruct against driver's license suspensions and the imposition of fines. This measure will address the issue of currently penalizing poverty by prohibiting the imposition of restriction on a person's ability to obtain a driver's license due to unpaid monetary obligations.

Your Committee notes the concern of the Attorney General in regard to a potential conflict with federal law by repealing the Child Support Enforcement Agency's statutory authority to restrict the use of driver's license for enforcement purposes.

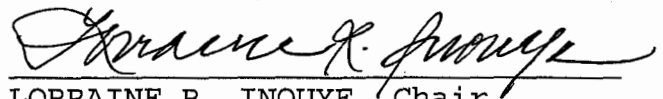
Accordingly, your Committee has amended this measure by:

- (1) Reinstating the provisions allowing the Child Support Enforcement Agency to certify that an individual is not in compliance with an order of support or has failed to comply with a subpoena or warrant relating to paternity or child support proceedings, thereby restricting the use of a driver's license and making conforming amendments throughout;
- (2) Deleting language that would have required the Attorney General to work with the counties to identify persons affected by the restrictions imposed by the Child Support Enforcement chapter of the Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1344, S.D. 1, and be referred to your Committee on Judiciary.



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


LORRAINE R. INOUYE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 1344</i>	<i>TRS, JDC</i>	<i>2/11/19</i>		
<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
INOUE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Breene Harimoto</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes