

STAND. COM. REP. NO. 3699

Honolulu, Hawaii

JUN 26 2020

RE: H.B. No. 1676
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1676, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a three-year pilot program in major arterial zones on state or county highways within a specified area to provide for the implementation of photo red light imaging detector systems to improve traffic enforcement;
- (2) Authorize any affected county to implement the photo red light imaging detector systems pilot program; and
- (3) Appropriate funds for the establishment of a photo red light imaging detector systems pilot program.

Your Committee received testimony in support of this measure from the Department of Transportation; Disability and Communication Access Board; Department of the Prosecuting Attorney, City and County of Honolulu; Department of Transportation Services, City and County of Honolulu; Honolulu Police Department; Maui Police department; Hawaii Strategic



Highway Safety Plan; Mothers Against Drunk Driving Hawaii; Hawaii Bicycling League; Peoples Advocacy for Trails Hawai'i; Blue Zones Project; Hawai'i Public Health Institute; and twenty-seven individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual. Your Committee received comments on this measure from the Judiciary and one individual.

Your Committee notes that the companion to this measure, S.B. No. 2994, S.D. 2, Regular Session of 2020, which was previously passed by the Senate, is a substantially similar measure that also authorizes the Photo Red Light Imaging Detector Systems Program. Your Committee concludes that the language in S.B. No. 2994, S.D. 2, is preferable because it creates a new chapter in the Hawaii Revised Statutes rather than creating a pilot program only in session law.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 2994, S.D. 2.

Your Committee also notes the testimony of the Department of Transportation, which proposed several amendments to improve the operation of this measure. Accordingly, your Committee has further amended this measure by:

- (1) Changing all references to the "operator" of the motor vehicle to reflect the registered owner of the motor vehicle;
- (2) Removing the reference to sensors buried under crosswalks in contemplation of new technology;
- (3) Requiring a county's vendor, rather than the county, to mail a notice of traffic infraction;
- (4) Amending the measure to hold registered owners strictly liable for violations of the statute;
- (5) Removing the prima facie evidence portion of the measure;

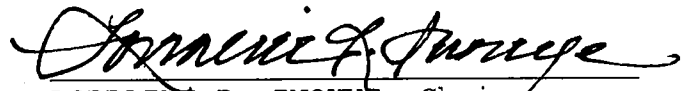


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- (6) Removing the provision regarding the liability of the driver of a rental or u-drive vehicle;
- (7) Clarifying that nothing in the measure shall be deemed to override or supersede any provision of Chapter 291D, Hawaii Revised Statutes;
- (8) Setting the fine for unauthorized disclosure of confidential information at \$97.00;
- (9) Making it effective upon its approval; and
- (10) 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 H.B. No. 1676, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1676, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.


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


LORRAINE R. INOUE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1676, HD1	TRS, JDC/WAM	6/24/20		
<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
INOUYE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)				✓
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; margin-top: 10px;">  </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