

Honolulu, Hawaii

FEB 07 , 2020

RE: H.B. No. 2679
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2679 entitled:

"A BILL FOR AN ACT RELATING TO PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to establish, within the Traffic Violations Bureau of the District Court of the First Circuit, a three-year pilot project that requires the court to adjust court-imposed monetary assessments resulting from motor vehicle moving violations and establishes income-based adjustments for related fines.

Your Committee received testimony in support of this measure from the American Civil Liberties of Hawaii, Community Alliance on Prisons, Hawaii Health & Harm Reduction Center, and four individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that a "one-size fits all" fine system that applies the same fine amount to persons of different economic means does not result in the same deterrent and retribution effects on violators, nor does such a system have meaningful consequences. Your Committee believes that scaling fines to income will improve the effectiveness of fines as a sanction and



address the unequal burden imposed on individuals with few financial means.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Should this measure be heard by the Committee on Judiciary, your Committee respectfully requests that it consider the impact of this proposed fine system on habitual offenders who do not pay their fines and/or incur multiple violations, with the potential of compromising public safety.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2679, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,


AARON LIND JOHANSON, Chair



