

STAND. COM. REP. NO.

3259

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2106

S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2106, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend child passenger restraint requirements by regulating the transport of children under ten years of age as opposed to current law, which applies up to eight years of age, and require the operator of the motor vehicle to provide child passenger restraints under certain circumstances;
- (2) Repeal the exemption from child passenger restraint requirements for vehicles with less seat belt assemblies than the number of passengers; and
- (3) Increase the fines for violating child passenger restraint requirements.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Keiki Injury Prevention Coalition, Safe Kids Hawaii, and Maui County Child Passenger Safety.



Your Committee finds that existing motor vehicle laws lack any requirement that children of any age be restrained in a rear facing child safety seat. Your Committee further finds that traffic accidents continue to be a leading cause of death for Hawaii's children and youth. According to the American Academy of Pediatrics guidelines, infants and toddlers need to be in a rear-facing car safety seat until they reach the highest weight or height allowed by the seat. This measure aligns Hawaii law with other jurisdictions that require children under the age of two to be restrained in a rear-facing child safety seat.

Your Committee notes that under existing law, children may be exempt from child safety seat requirements if they instead meet specific age, height, and weight requirements. Your Committee finds that there is not always a predictable correlation between a child's age and their weight and height, and thus a child who is younger than the threshold age may meet the height and weight requirements to ride without being restrained in a safety seat. Accordingly, your Committee requests that as this measure moves forward in the legislative process, future committees consider a similar exemption for younger children who meet weight and height requirements.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2106, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2106, S.D. 2.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2106 SD1	Committee Referral: TRLS, JDC	Date: 2/25/2020		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)		/		
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt		/		
TOTAL	2	2		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes