

STAND. COM. REP. NO. 303

Honolulu, Hawaii
FEB 17 2021

RE: S.B. No. 428
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 428 entitled:

"A BILL FOR AN ACT RELATING TO FELONIES,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that interference with an automated public transit vehicle, system, or service is a class C felony.

Your Committee received testimony in support of this measure from the Department of Transportation and City and County of Honolulu Department of Transportation Services. Your Committee received comments on this measure from the Department of the Attorney General and Office of the Public Defender.

Your Committee finds that existing criminal statutes governing interference with public transit vehicles do not cover automated public transit vehicles like the new Honolulu Rapid Transportation Project. Therefore, in order to modernize the State Penal Code this measure will make it a class C felony to interfere with the automated operation of a public transit vehicle.

Your Committee has amended this measure by:

- (1) Deleting language that would have included causing the delay of an automated operation of a public transit vehicle as an element of the offense;
- (2) Inserting a definition of "automated operation", per the recommendation of the Attorney General; 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. 428, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 428, S.D. 1, and be referred to your Committee on Judiciary.

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



CHRIS LEE, Chair



