

STAND. COM. REP. NO. 337

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 771
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. 771 entitled:

"A BILL FOR AN ACT RELATING TO THEFT,"

begs leave to report as follows:

The purpose and intent of this measure is to

- (1) Establish the offense of theft of a bicycle; and
- (2) Establish penalties for conviction of the offense of theft of a bicycle.

Your Committee received testimony in support of this measure from the Hawaii Bicycling League and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that many more people are commuting by bicycle than ever before. Due to the high cost of living in the State, including parking expenses, gasoline prices, and upkeep of motor vehicles, more people are relying on bicycles as their primary mode of transportation. When a bicycle is stolen from someone who uses it as their primary mode of commuting to and from work, it hampers their ability to earn an income. Existing law



does not have an express provision for the theft of a bicycle. This measure will serve to deter bicycle theft.

Your Committee has amended this measure by:

- (1) Classifying theft of a bicycle as an offense under theft in the second degree, a class C felony, in section 708-831, Hawaii Revised Statutes, instead of creating a new statute to classify the offense of theft of a bicycle;
- (2) Adding the definitions of "bicycle" and "toy bicycle" to section 708-800, Hawaii Revised Statutes;
- (3) Deleting language that would have exempted theft of a bicycle from inclusion in the offense of habitual property crime; and
- (4) 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. 771, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 771, 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



