STAND. COM. REP. NO.

Honolulu, Hawaii FEB 1 7 2021

S.B. No. 428 RE: 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:

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- (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

## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Transportation TRS

Bill / Resolution No.:*	Committee Referral: Date: /				
SB428 TRS, JDC 2/9/2021					
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)		<b>V</b> /			
INOUYE, Lorraine R. (VC)		V			
ENGLISH, J. Kalani		V			
SHIMABUKURO, Maile S.L.		V			
FEVELLA, Kurt					
	<u>-</u> -				
		_			
TOTAL		5			
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Francie & Amuse					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes