Honolulu, Hawaii

Agr: 126, 2006

RE:

H.B. No. 862

H.D. 2

S.D. 2

C.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 862, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to improve public safety on Hawaii's roadways by creating severe penalties for those who drive at excessive speeds. Among other things, this bill:

- (1) Creates a criminal offense for excessive speeding;
- Defines "excessive speeding" as exceeding the speed limit (2) by 25 miles per hour or more or driving 80 miles per hour or more irrespective of the speed limit; and
- Provides for graduated sentencing for excessive speeding (3) violations, including driver's license suspension or

HB862 CD1 HCCR HMS 2006-3682



revocation, mandatory driver retraining, fines, assessments, community service, and imprisonment.

Your Committee on Conference finds that numerous community concerns have been raised regarding drivers who operate their vehicles at unsafe speeds and endanger the lives of fellow motorists and pedestrians. This measure addresses these concerns.

Your Committee on Conference has amended this measure by:

- (1) Increasing the lower parameter by which an individual driving a vehicle exceeds the applicable speed limit before being guilty of "excessive speeding" from 25 milesper-hour to 30 milesper-hour over the applicable speed limit;
- (2) Changing the effective date from July 1, 2050, to January 1, 2007; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 862, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 862, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

LORRAINE R. INOUYE! Chair

COLLEEN HANABUSA, Co-Chair

SYLVIA LUKE, Co-Chair

JOSEPH M. SOUKI, Co-Chair

Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 862, HD 2, SD 2					Date/Time: 4/20/06				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
☐ The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	Е	House Managers	A	WR	N	Е
INOUYE, Lorraine R., Chr.	V	,			SOUKI, Joseph M., Co-Chr.	V			
HANABUSA, Colleen, Co-Chr.	/				LUKE, Sylvia, Co-Chr.	V			
HEE, Clayton	V				LEE, Marilyn B.	V			
TRIMBLE, Gordon					STEVENS, Anne V.	V			
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Senate Recommendation is:				House Recommendation is:					
Adopted Not Adopted				Adopted Not Adopted					
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
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Distribution: Original House					Yellow Pink Goldenrod use Clerk's Office Senate Clerk's Office Drafting Agency				
File with Conjerence Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency									