STAND. COM. REP. NO. 1428

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 1528

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 1528 entitled:

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

begs leave to report as follows:

The purpose of this bill is to clarify that all traffic infractions subject to the penalty provisions under the statewide traffic code shall be treated as civil traffic violations rather than criminal offenses.

The Judiciary testified in support of this bill.

In 1993, the Legislature decriminalized less serious traffic offenses, treating these offenses as civil matters in an effort to expeditiously adjudicate these cases. However, the default penalty section of the statewide traffic code continues to use the term "conviction" which is only possible in criminal cases. Clarifying that traffic infractions are civil cases will be consistent with the legislative intent in decriminalizing traffic violations.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to encourage further discussion.

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. 1528, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1528, H.D. 1, and be referred to the Committee on Judiciary.

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

OSEPH M. SOUKI, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Transportation

Bill/Resolution No.:	Date:	Date:			
SB 1528 (SSCR1003)	MARCH 19, 2007				
Committee Referral: TRN, JUD	☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended Pass, with amendments					
☐ Hold	Pass, with amendments, for recommittal for further consideration				
TRN Members	Ayes	Ayes (WR)	Nays	Excused	
1. SOUKI, Joseph M. (C)					
2. NISHIMOTO, Scott Y. (VC)					
3. EVANS, Cindy					
4. HAR, Sharon E.					
5. LEE, Marilyn B.		Tel. Light			
6. LUKE, Sylvia					
7. McKELVEY, Angus L.K.					
8. NAKASONE, Bob					
9. SONSON, Alex M.					
10. TAKAMINE, Dwight Y.					
11. TAKUMI, Roy M.	//		give .		
12. MEYER, Colleen Rose					
13. PINE, Kymberly Marcos	174 m 17 m	1.			
TOTAL	9			4	
The recommendation is: Adopted Not Adopted If joint referral,					
committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					