

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 1529
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 1529 entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the civil
adjudication of civil traffic infractions.

Specifically, this measure:

- (1) Establishes that the district court may adjudicate civil traffic infractions charged against minors;
- (2) Applies the civil standard of proof for civil traffic infraction trials;
- (3) Remedies difficulties encountered by certain district courts in complying with concurrent scheduling requirements for civil and related criminal proceedings;
- (4) Protects a defendant's privilege against self-incrimination;
- (5) Promotes consistency in processing and adjudicating moving and non-moving civil traffic infractions; and
- (6) Permits the use of electronic citations.



Your Committee received testimony in support of this measure from the Judiciary and Kauai Safety Agency. Comments were received from Catrala-Hawaii.

Your Committee finds that this measure would provide clear, unambiguous, and consistent methods of processing traffic infractions in a more expedient and less burdensome manner, while ensuring protections against self-incrimination for defendants.

Your Committee notes the concerns of Catrala-Hawaii to the effect that this measure may make car rental companies responsible for all moving and parking violations. U-drive companies would become liable for the wrongdoings of their renters who operate the vehicle at the time of the infraction. Catrala-Hawaii offered suggested amendments to this measure, on which your Committee would defer to the Committee on Judiciary and Labor.

Your Committee has made technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1529, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,




J. KALANI ENGLISH, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.: SB 1529	Committee Referral: TIA, JDL	Date: 2/12/07
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
ENGLISH, J. Kalani (C)	✓	
INOUE, Lorraine R. (VC)	✓	
ESPERO, Will	✓	
HOOSER, Gary L.		✓
TANIGUCHI, Brian T.		✓
TSUTSUI, Shan S.	✓	
GABBARD, Mike	✓	
TOTAL	5	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency		

*Only one measure per Record of Votes