Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 1666 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1666 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to promote highway safety by establishing mandatory minimum sentencing and increasing the grade of offense for negligent homicide in the second and third degrees and negligent injury in the second degree where the victim is a vulnerable user.

The Honolulu Police Department, Hawaii Bicycling League, Kauai Path, and several concerned individuals supported this bill. The Office of the Public Defender and a concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Deleting language that establishes mandatory minimum sentencing for specified offenses involving a vulnerable user;
- (2) Deleting reference to an electric assist bicycle in the definition of vulnerable user;
- (3) Changing its effective date to January 7, 2059, to encourage further discussion; and

HB1666 HD1 HSCR JUD HMS 2012-2518

(4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1666, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1666, H.D. 1.

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

GILBERT KEITH-ACARAN, Chair

HSCR 799-12

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

HB 1666	Committee Referral:	J, JUD Date	* 2/23	12
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C) /			-
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				-
6. COFFMAN, Denny				V
7. HERKES, Robert N.				V
8. ITO, Ken				
9. LUKE, Sylvia				V
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				
12. TSUJI, Clift				
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				-
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TOTAL (15)	11	0	0	4
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.				
Vice Chair's or designee's signature: Kal Numb				
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