

Honolulu, Hawaii

FEB 17 2015

RE: S.B. No. 345
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Transportation, to which was referred S.B. No. 345 entitled:

"A BILL FOR AN ACT RELATING TO PASSENGERS RIDING IN BED OF PICKUP TRUCKS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Raise the age from twelve to eighteen for passengers permitted to ride in the bed of a pickup truck under certain conditions; and
- (2) Deem passengers in the bed of a pickup truck to have assumed the risk of injury or death from an accident or injury occurring while the vehicle is in operation.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Police Department, Safe Community of Maui, and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that the most effective means for preventing truck bed injuries and fatalities is to prohibit any passengers, and especially minors, from riding in the cargo area of pickup trucks. Pickup truck beds are not designed or equipped with safety devices for carrying passengers. The passage of this measure would prohibit those eighteen years of age and under from



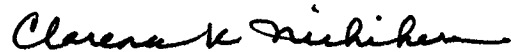
riding in the bed of a pickup truck, helping to ensure their safety.

According to testimony of the Department of Health, there are no national safety standards that support securing passengers in the bed of pickup trucks. As a result, passengers riding in the bed of pickup trucks are at an increased risk of death and serious injury.

Your Committee has amended this measure by changing the age of persons prohibited from riding in the bed of pickup trucks to persons under the age of eighteen rather than persons age eighteen or under.

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. 345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 345, 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,



CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRA

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB345</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">TRA, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/10/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <div style="font-size: 1.2em; font-family: cursive;">rsh</div> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
HARIMOTO, Breene (VC)	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani		✓		
ESPERO, Will	✓			
INOUE, Lorraine R.	✓			
KIDANI, Michelle N.				✓
KOUCHI, Ronald D.				✓
SLOM, Sam				✓
TOTAL	4	1		4
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive;">Breene </div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes