

STAND. COM. REP. NO.

2537

Honolulu, Hawaii

FEB 12 2020

RE: S.B. No. 2630

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Transportation and Public Safety,
Intergovernmental, and Military Affairs, to which was referred
S.B. No. 2630 entitled:

"A BILL FOR AN ACT RELATING TO MONETARY OBLIGATIONS,"

beg leave to report as follows:

The purpose and intent of this measure is to end punishing
poverty by prohibiting the imposition of restrictions on a
person's ability to obtain or renew a driver's license or to
register, renew the registration of, or transfer or receive title
to a motor vehicle, as a consequence of unpaid monetary
obligations.

Your Committees received testimony in support of this measure
from the Office of the Public Defender; Office of the Prosecuting
Attorney, County of Kauai; Young Progressives Demanding Action;
American Civil Liberties Union of Hawai'i; Parents and Children
Together; Hawaii Children's Action Network Speaks!; and thirty-two
individuals. Your Committees received comments on this measure
from the Hawaii State Judiciary.

Your Committees find that existing law allows for the
imposition of restrictions on an individual's ability to obtain or
renew a driver's license or motor vehicle registration as a
penalty for various unpaid monetary obligations that are civil and
not criminal in nature. The most concerning reason for these
punitive restrictions is the failure of an individual to pay



within thirty days the fines and fees assessed in connection with non-parking related traffic tickets. Your Committees find that this practice of imposing driver's license or vehicle registration "stoppers" may also occur because of other unpaid civil obligations.

Your Committees further find that, according to a Washington Post investigation, more than seven million individuals nationwide have had their driver's licenses suspended for unpaid court or administrative debt. The investigation also found that Hawaii has a high percentage – nine percent – of adults who have had their licenses suspended for unpaid debt. Your Committees additionally find that the American Bar Association recently adopted guidelines on preventing fines and fees that penalize poverty. These guidelines instruct against driver's license suspensions and the imposition of fines that result in substantial and undue hardship. At least four states do not allow driver's licenses to be suspended or restricted for unpaid court debt.

Your Committees find that the inability to obtain or renew a driver's license prevents people who have not committed a crime from getting to work, picking up their children, keeping medical appointments, and ultimately from escaping debt. This measure will prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, because of unpaid monetary obligations. However, this Act shall not have any effect on driver's license suspensions related to excessive speeding, lack of motor vehicle insurance, or non-compliance with a child support order.

Your Committees note that through testimonies the Hawaii State Judiciary requested the measure's effective date be extended and that Section 10 be deleted. Your Committees request that the Judiciary Committee examines these issues further.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2630 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Public Safety,
Intergovernmental, and Military
Affairs,

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair

Lorraine R. Inouye

LORRAINE R. INOUE, Chair



The Senate
 Thirtieth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2630	TRS/PSM, JDC	2/7/20		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amerrdments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Breene Hunt</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirtieth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:	Committee Referral:	Date:		
SB 2630	TR5/PSM, JDC	2/7/2020		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: _____				
Distribution: Original (File with Committee Report) Yellow (Clerk's Office) Pink (Drafting Agency) Goldenrod (Committee File Copy)				

*Only one measure per Record of Votes