

STAND. COM. REP. NO. 806

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 419
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 419 entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require each motor vehicle insurance policy to cover the replacement cost of a child passenger restraint system that is damaged during a collision for which liability coverage under the policy is applicable.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that child passenger restraint systems are essential to protect the lives of young children in vehicles. During a collision, the structural integrity of a child passenger restraint system may be compromised, thus rendering it unsafe for future use, despite having no visible damages. Other states, such as California and Texas, have enacted laws requiring insurance coverage to include the cost of replacing damaged child passenger restraint systems. This measure aligns with best practices for child passenger safety, reduces the financial burden on families,



and upholds public confidence in the State's commitment to safeguarding its youngest residents by requiring insurers to cover the cost of replacement for child passenger restraint systems damaged or in use by a child during a motor vehicle accident.

Your Committee has amended this measure by:

- (1) Inserting a non-impairment clause to clarify that this measure shall not be applied in a manner that impairs any existing contracts in violation of the United States Constitution or Hawaii State Constitution;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 419, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 419, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



JARRETT KEOHOKALO, Chair



