

Honolulu, Hawaii

MAR 3 1 2010

RE: H.B. No. 2020
H.D. 2
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 2020, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose of this measure is to clarify that the counties may, on private streets and streets the ownership of which is in dispute between the State and the counties, enforce traffic and other regulations relating to:

- (1) County vehicular taxes, under chapter 249, Hawaii Revised Statutes;
- (2) Motor vehicle safety responsibility, under chapter 287, Hawaii Revised Statutes;
- (3) Traffic violations, under chapter 291, Hawaii Revised Statutes;
- (4) The use of intoxicants while operating a vehicle, under chapter 291E, Hawaii Revised Statutes;
- (5) Motor vehicle insurance, under article 10C of chapter 431, Hawaii Revised Statutes;
- (6) Motorcycle and motor scooter insurance, under article 10G of chapter 431, Hawaii Revised Statutes; and



- (7) Odometers, under part III of chapter 486, Hawaii Revised Statutes.

Written comments in support of the measure were submitted by one state department and one county agency. Written comments presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure is intended to clarify county enforcement powers of traffic and related regulations. Because the interior roadways of many subdivisions are privately owned and maintained by the subdivision community associations, but are also open to the public, the counties should have clear authority to assure that the public and subdivision owners are adequately protected by county police departments.

Your Committee has amended this measure by:

- (1) Inserting an effective date of September 14, 2047, to ensure further discussion; and
- (2) Making technical, nonsubstantive changes for purposes of style.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2020, H.D. 2, S.D. 2.


Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

| | | | | |
|---|---|---------------------------------------|---------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| HB 2020, HD2, SD1 | TIA, JGO | 3/23/10 | | |
| <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 |
| TANIGUCHI, Brian T. (C) | ✓ | | | |
| TAKAMINE, Dwight Y. (VC) | ✓ | | | |
| BUNDA, Robert | | | | ✓ |
| GABBARD, Mike | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 5 | 0 | 0 | 1 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original | Yellow | Pink | Goldenrod | |
| File with Committee Report | Clerk's Office | Drafting Agency | Committee File Copy | |

*Only one measure per Record of Votes