

STAND. COM. REP. NO. 948

Honolulu, Hawaii

MAR 21 2013

RE: H.B. No. 980  
H.D. 2  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committees on Transportation and International Affairs and Judiciary and Labor, to which was referred H.B. No. 980, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit the use of cellular phones and other mobile electronic devices while operating a vehicle, with certain exceptions, and to specifically prohibit activities such as texting, instant messaging, gaming, and emailing, which take a driver's eyes off the road, mind off the road, and hands off the wheel.

Your Committees received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, State Highway Safety Council, Property Casualty Insurers Association of America, Alliance of Automobile Manufacturers, and one individual. Your Committees received testimony in opposition to this measure from Office of the Public Defender.

Your Committees find that the task of driving requires a driver's full attention in focusing on the roadway and driving maneuvers. Any distraction that diverts a driver's attention from the primary tasks of maneuvering the vehicle and responding to critical events increases the driver's risk of being involved in a motor vehicle crash.



The new federal surface transportation bill, Moving Ahead for Progress in the 21st Century Act (MAP-21) (P.L. 112-141), passed by Congress in 2012, authorizes \$22,500,000 in federal fiscal year 2013 and \$23,100,000 in federal fiscal year 2014 to be distributed to the states that have a distracted driver state law. Hawaii is not eligible for this funding due to the absence of a statewide distracted driving statute. Although, enactment of this bill is redundant because all four counties already have enacted distracted driving statutes, which the federal government refuses to acknowledge.

Your Committees have amended this measure by:

- (1) Deleting references to suspension of license as a penalty;
- (2) Changing the effective date to July 1, 2013; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 980, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 980, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and International Affairs and  
Judiciary and Labor,

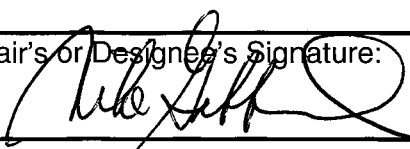
  
CLAYTON HEE, Chair

  
J. KALANI ENGLISH, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation and International Affairs**  
**TIA**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 980 HD2	TIA/JDL, WAM	3-18-13		
<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
ENGLISH, J. Kalani (C)	✓			✓
DELA CRUZ, Donovan M. (VC)				✓
ESPERO, Will	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
SOLOMON, Malama				✓
SLOM, Sam		✓		
<b>TOTAL</b>	6	1	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> 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  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB 980 HD 2</b>	Committee Referral: <b>TIA / JDL, NAM</b>	Date: <b>3-18-13</b>		
<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
HEE, Clayton (C)				✓
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam		✓		
<b>TOTAL</b>	<b>3</b>	<b>1</b>		<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes