

Honolulu, Hawaii

FEB 15 2017

RE: S.B. No. 261

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Transportation and Energy and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 261 entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit smoking in a motor vehicle in which a person under the age of eighteen is present; and
- (2) Require the Department of Health to report on the enforceability and coordination of data collection activities of the respective law enforcement agencies.

Your Committees received testimony in support of this measure from the Department of Health, Office of the Prosecuting Attorney of the County of Kaua'i, County of Hawai'i Police Department, Hawai'i Public Health Association, Hawaii COPD Coalition, American Heart Association/American Stroke Association, Hawai'i Pacific Health, Hawaii Children's Action Network, University of Hawaii Student Health Advisory Council, Hawai'i Public Health Institute/Coalition for a Tobacco-Free Hawaii, and numerous individuals. Your Committees received testimony in opposition to this measure from the Hawaii Smokers Alliance and thirteen individuals. Your Committees received comments on this measure from one individual.



Your Committees find that secondhand smoke is a dangerous class A carcinogen in the same class as asbestos and benzene. Secondhand smoke typically contains at least seven thousand identifiable chemicals, around seventy of which are known or probable carcinogens. According to the Centers for Disease Control and Prevention, secondhand smoke can cause heart disease, lung cancer, and stroke. In children, secondhand smoke can also cause ear infections; more frequent and severe asthma attacks; respiratory symptoms such as coughing, sneezing, and shortness of breath; respiratory infections such as bronchitis and pneumonia; and a greater risk for sudden infant death syndrome.

Your Committees find that children exposed to secondhand smoke run a greater risk of suffering from the damaging health effects. In general, children breathe in more air than adults because their lungs are still developing. Children also have little or no control over their environments and cannot leave if secondhand smoke bothers them.

Your Committees further find that studies have found that secondhand smoke exposure in vehicles is more concentrated than in bars and restaurants. Secondhand smoke in a car causes the air to be many times more toxic than what the Environmental Protection Agency considers hazardous air quality, even when a window is down. Smoke-free vehicle laws such as this measure, ensure that clear air is maintained within the vehicle while a child is inside.

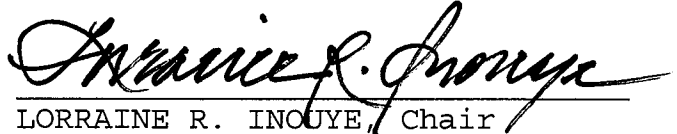
As affirmed by the records of votes of the members of your Committees on Transportation and Energy and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 261 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Energy and Commerce,  
Consumer Protection, and  
Health,



ROSALYN H. BAKER, Chair

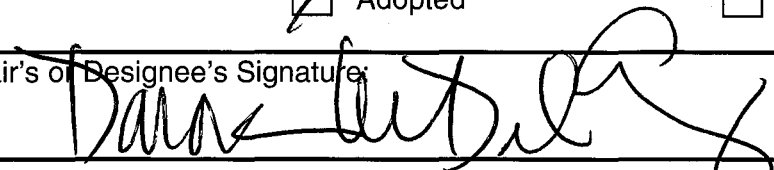


LORRAINE R. INOUE, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Transportation and Energy**  
**TRE**

Bill / Resolution No.:* <b>SB 261</b>	Committee Referral: <b>TRE/CPH, WAM</b>	Date: <b>3/17</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 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
INOUE, Lorraine R. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
ENGLISH, J. Kalani				/
HARIMOTO, Breene				/
SHIMABUKURO, Maile S.L.	/			
<b>TOTAL</b>	<b>3</b>			/
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

The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

Record of Votes  
Committee on Commerce, Consumer Protection, and Health  
CPH

Bill / Resolution No.:* <b>SB 201</b>	Committee Referral: <b>TRE/CPH, WAM</b>	Date: <b>2/3/17</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 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
BAKER, Rosalyn H. (C)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
KIDANI, Michelle N.		/		
RUDERMAN, Russell E.				/
<b>TOTAL</b>	<b>4</b>	<b>1</b>		<b>2</b>
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				

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