

STAND. COM. REP. NO. 1198

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 1377
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1377, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CITATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Create a five-year electronic citation program; and
- (2) Establish an electronic citation surcharge.

Your Committee received testimony in support of this measure from the Judiciary, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, Hawai'i Police Department, and Hawai'i Strategic Highway Safety Plan. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the use of paper citation sometimes gives rise to difficulties including supervisors, prosecutors, and judiciary personnel having to decipher handwritten notes that are difficult to read, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These difficulties



have the potential to lead to delays in access to citations and to dismissal of traffic citations. Your Committee further finds that the use of an electronic citation system resolves handwriting legibility issues and eliminates the need to collect and scan paper citations. By establishing an electronic citation program in the State, this measure provides numerous benefits to law enforcement, the Judiciary, and the general public, including the streamlining of processes and increased access to information.

Additionally, your Committee notes that revenue projections from the electronic citation pilot programs in the County of Maui and the City and County of Honolulu indicate that an electronic citation surcharge of \$5 is not necessary, and that a surcharge of \$2 will be self-sustainable.

Accordingly, your Committee has amended this measure by:

- (1) Changing the amount of the electronic citation surcharge from \$5 to \$2;
- (2) Removing inapplicable language requiring that the rules adopted by the Judiciary be pursuant to chapter 91, Hawaii Revised Statutes;
- (3) Removing the sunset date on the electronic citation special fund;
- (4) Making it effective upon its approval; and
- (5) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1377, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1377, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

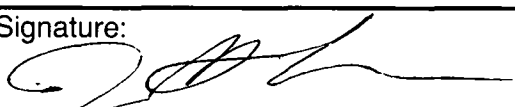
Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1377, HD1	JDC, WAM	3/23/2021		
<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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura			✓	
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt			✓	
TOTAL	5	0	2	0
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