

STAND. COM. REP. NO.

1206

Honolulu, Hawaii

**MAR 25 2021**

RE: H.B. No. 172  
H.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. 172, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of unauthorized control of a propelled vehicle in the second degree.

Your Committee received testimony in support of this measure from the Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that there are a number of statutory provisions enacted to address the high number of vehicle thefts that occur in the State, especially on the island of Oahu. Frequently, a stolen vehicle is recovered during the commission of a crime or after it has been used to commit other crimes. Under existing law, it can be difficult to prove that a defendant operating or occupying a stolen vehicle knew that the vehicle was stolen. This measure establishes the offense of unauthorized detention of a propelled vehicle to place criminal liability on individuals who recklessly or negligently take possession of a vehicle that may be stolen.



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. 172, H.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

*Karl Rhoads*


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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 172, HD1  | JDC                 | 3/18/2021       |                     |          |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>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  |
| RHOADS, Karl (C)   | ✓                   |                 |                     |          |
| KEOHOKALOLE, Jarrett (VC)  | ✓                   |                 |                     |          |
| ACASIO, Laura  |                     |                 | ✓                   |          |
| GABBARD, Mike  | ✓                   |                 |                     |          |
| KIM, Donna Mercado   | ✓                   |                 |                     |          |
| LEE, Chris   | ✓                   |                 |                     |          |
| FEVELLA, Kurt  |                     |                 | ✓                   |          |
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| <b>TOTAL</b>   | <b>5</b>            | <b>0</b>        | <b>2</b>            | <b>0</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