

STAND. COM. REP. NO. 2758

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2083
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred S.B. No. 2083 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 prohibit smoking in a motor vehicle when a minor is present.

Your Committees received testimony in support of this measure from the Department of Health; Office of the Prosecuting Attorney, County of Kaua'i; Student Health Advisory Council; Global Advisors on Smokefree Policy; Coalition for a Tobacco-Free Hawai'i; Hawai'i Public Health Association; and forty-six individuals.

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. The Fiftieth Anniversary United States Surgeon General Report, released on January 17, 2014, states that any level of exposure to secondhand smoke is dangerous and over two and a half million nonsmokers have died from health problems caused by secondhand smoke since 1964.

Your Committees further find that children generally 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. As a result,

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children exposed to secondhand smoke run a greater risk of suffering from the damaging health effects. As of June 2015, over twenty jurisdictions within the United States, including California, Oregon, and the County of Hawaii, have enacted smoke-free vehicle laws to protect minors. This measure allows Hawaii to join these other jurisdictions to ensure that children are not subjected to the harmful effects of second-hand smoke.

Your Committees have amended this measure by:

- (1) Adding language that requires the Department of Health to submit a report to the Legislature, on the enforceability and data collection activities of the respective law enforcement agencies, prior to the convening of the Regular Session of 2017;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; 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 Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2083, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2083, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



JILL N. FOKUDA, Chair

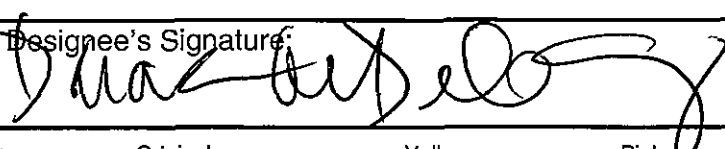


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2083	Committee Referral: TRE, SDL/WAM	Date: 3/1/16		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			None
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
RIVIERE, Gil		/		
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	8	1	1	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