



RESOLUTION

URGING THE HAWAII STATE LEGISLATURE TO REQUIRE THE FORFEITURE OF A VEHICLE OWNED AND USED BY A PERSON CONVICTED OF STREET RACING.

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) reported that speeding is one of the most prevalent factors contributing to traffic crashes with an estimated economic cost to society of over \$40 billion per year for speeding related crashes; and

WHEREAS, the NHTSA also reported that in 2004, speeding was a contributing factor in 30 per cent of all fatal crashes and that over 13,000 lives were lost in speeding related crashes; and

WHEREAS, the State Department of Transportation's crash statistics reveal that in 2001, excessive speed contributed to 39 per cent of Hawaii's fatal crashes and that traffic deaths statewide as of December 26, 2005 had reached 75, surpassing the 2004 total of 71; and

WHEREAS, also in late 2001, the Honolulu Police Department announced plans to stop street racers during the holiday season in response to an alarming increase in street racing; and

WHEREAS, subsequently, in 2002, the Hawaii State Legislature enacted Act 261, which established harsher penalties for excessive speeding with fines of more than \$2,000, a term of imprisonment of no more than one year or both and additional penalties of: 1) one-year driver license suspension for a speeding offense that occurs within five years of a prior conviction; and 2) three-year license suspension for an offense that occurs within five years of two prior convictions as well as authorizing the courts to order a vehicle forfeiture from the defendant and owner of an automobile that had been used in at least two prior street racing offenses that resulted in convictions; and

WHEREAS, that Council believes that since 2002, the consequences of street racing have become more severe and life-threatening to innocent victims due to the increasing number of vehicles and pedestrians on the road; and

WHEREAS, the statewide traffic code (HRS Chapter 291C) imposes a uniform system of regulation of traffic on state and county roads; and



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WHEREAS, the Council further believes that the Hawaii State Legislature should revisit the provisions relating to street racing and consider establishing even harsher penalties to protect the safety and welfare of Hawaii residents; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Hawaii State Legislature is urged to amend HRS Section 291C-103 during the 2006 Regular Session to require the forfeiture of a vehicle owned and used by a person convicted of street racing upon a person's first offense; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Speaker of the House of Representatives and the President of the Senate of the Hawaii State Legislature.

INTRODUCED BY:

[Handwritten signatures of Councilmembers]

DATE OF INTRODUCTION:

JAN 09 2006
Honolulu, Hawaii

Councilmembers

(OCS/010306/ct)