
SENATE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A WORKING GROUP ON LOWERING THE LEGAL LIMIT OF BLOOD ALCOHOL CONCENTRATION TO 0.05 GRAMS OF ALCOHOL PER ONE HUNDRED MILLILITERS OF BLOOD WITH THE INTENT OF PRIORITIZING SAFETY AND SAVING LIVES ON HAWAII'S ROADS.

1 WHEREAS, according to the National Highway Traffic Safety
2 Commission, about thirty-seven people in the United States die
3 in drunk-driving crashes every day; and

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5 WHEREAS, that number equates to one person dying every
6 thirty-nine minutes; and

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8 WHEREAS, in 2022, 13,524 people died in alcohol-impaired
9 driving traffic deaths across the United States; and

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11 WHEREAS, from 2011 to 2022, at least forty percent of
12 traffic fatalities in Hawaii involved alcohol; and

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14 WHEREAS, research published in the Journal of Studies on
15 Alcohol and Drugs in 2012 shows that if a person's blood alcohol
16 concentration (BAC) is between 0.05 and 0.08 percent, their
17 chances of being killed in a crash where only the person's
18 vehicle is involved are at least seven times higher than if the
19 person had not been drinking at all; and

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21 WHEREAS, reducing the legal BAC limit to 0.05 percent would
22 likely lead to fewer instances of impaired driving and its
23 consequences; and

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25 WHEREAS, a 0.05 percent BAC limit would serve as a general
26 deterrent to impaired driving and affects all would-be drinking
27 drivers; and
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1 WHEREAS, more than one hundred countries have reduced their
2 legal BAC levels to 0.05 percent or lower, including Australia,
3 Austria, France, Germany, Italy, and Spain; now, therefore,
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5 BE IT RESOLVED by the Senate of the Thirty-third
6 Legislature of the State of Hawaii, Regular Session of 2025, the
7 House of Representatives concurring, that the Department of
8 Transportation is urged to establish a working group on lowering
9 the legal limit of blood alcohol concentration to 0.05 grams of
10 alcohol per one hundred milliliters of blood with the intent of
11 prioritizing safety and saving lives on Hawaii's roads; and
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13 BE IT FURTHER RESOLVED that the working group is requested
14 to consist of the following members:
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- 16 (1) The Director of Transportation or the Director's
17 designee, who is requested to serve as the Chairperson
18 of the working group;
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- 20 (2) A Representative from the Office of the Public
21 Defender;
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- 23 (3) Chairs of the Senate and House of Representatives
24 committees with primary jurisdiction over
25 transportation;
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- 27 (4) A representative from the Office of the Prosecuting
28 Attorney of the City and County of Honolulu;
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- 30 (5) A representative from the Office of the Prosecuting
31 Attorney of Kauai;
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- 33 (6) A representative from the Office of the Prosecuting
34 Attorney of Hawaii; and
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- 36 (7) A representative from the Department of the
37 Prosecuting Attorney of Maui; and
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39 BE IT FURTHER RESOLVED that the working group is requested
40 to invite the following individuals to participate as members of
41 the working group:
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- 1 (1) A representative from the National Transportation
2 Safety Board;
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- 4 (2) A representative from the Hawaii Alcohol Policy
5 Alliance;
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- 7 (3) A representative from the field of traffic safety and
8 research with expertise in alcohol-impaired driving;
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- 10 (4) A representative of Hawaii establishments selling
11 alcohol;
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- 13 (5) A representative of Hawaii restaurants;
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- 15 (6) A representative from an organization doing work on
16 reducing alcohol-related fatalities; and
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- 18 (7) Any other members as deemed appropriate; and
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20 BE IT FURTHER RESOLVED that the working group is requested
21 to examine data to identify:

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- 23 (1) The number of alcohol-related fatalities and injuries
24 per year in Hawaii;
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- 26 (2) The number of expected fatalities and injuries per
27 year involving drivers with a blood alcohol
28 concentration of .05 grams of alcohol per one hundred
29 milliliters of blood, based on real world results in
30 other places;
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- 32 (3) How alcohol and food revenues are affected in other
33 jurisdictions that require drivers to have a blood
34 alcohol concentration of .05 grams of alcohol per one
35 hundred milliliters of blood;
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- 37 (4) How much revenue could be expected to be gained or
38 lost by decreasing the legal blood alcohol
39 concentration to .05 grams of alcohol per one hundred
40 milliliters of blood in Hawaii;
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(5) Mitigating steps to help bars and restaurants adapt to any potential loss of revenue or options that might be recommended to address any loss; and

(6) Any recommendations to increase public awareness and phase-in legislation to decrease the legal blood alcohol concentration for driving to .05 grams of alcohol per one hundred milliliters of blood; and

BE IT FURTHER RESOLVED that the working group is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chair of the National Transportation Safety Board, Governor, Director of Transportation, Public Defender, and Prosecuting Attorneys of each county.

