



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

LATE

February 5, 2020
1:15 P.M.
State Capitol, Room 225

S.B. 2510
RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN
INTOXICANT.

Senate Committee on Transportation

The Department of Transportation (DOT) **supports the intent** of S.B. 2510 Relating to Operating a Vehicle Under the Influence of an Intoxicant. This bill will:

- Change the standard for the offenses of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant from .08 grams of alcohol per 210 liters of breath or 100 milliliters or cubic centimeters of blood to a measurable amount of alcohol in the person's breath or blood; and
- Allows law enforcement to arrest a person if there is probable cause to believe that the person was operating a vehicle with a measurable amount of alcohol in the person's breath or blood;

DOT understands that a jump from 0.08 blood alcohol concentration to Zero Tolerance may be difficult. If a middle ground is necessary, the DOT recommends that S.B. 2234 be considered as it is a comprehensive bill consistent with section 291E, and is drafted by our Hawaii Drug and Alcohol Intoxicated Driving Working Group, which included statewide input from law enforcement and prosecutors, as well as from the Office of the Public Defender and a member of the Hawaii Association of Criminal Defense Lawyers.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

DWIGHT K. NADAMOTO
ACTING PROSECUTING ATTORNEY

LYNN B.K. COSTALES
ACTING FIRST DEPUTY
PROSECUTING ATTORNEY

LATE



THE HONORABLE LORRAINE R. INOUE, CHAIR
SENATE COMMITTEE ON TRANSPORTATION
Thirtieth State Legislature
Regular Session of 2020
State of Hawai'i

February 5, 2020

RE: S.B. 2510; RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

Chair Inouye, Vice Chair Harimoto, and members of the Senate Committee on Transportation, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony expressing strong concerns with S.B. 2510.

The purpose of this bill is to create a zero tolerance law as it relates to operating a vehicle under the influence of an intoxicant (OVUII) under §291E-61 and §291E-61.5, H.R.S. Although the Department supports the idea of zero tolerance, the bill as written, creates the unintended consequence of limiting the Departments ability to prosecute a number of OVUII offenses.

Currently, the Department is able to prosecute an individual under our OVUII statutes through two different mechanisms.

§291E-61(a)(1) – while under the influence of alcohol in an amount sufficient to impair the person's normal mental faculties or ability to care for the person and guard against casualty;

AND

§291E-61(a)(3) – with .08 or more grams of alcohol per two hundred ten liters of breath;
§291E-61(a)(4) – with .08 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood

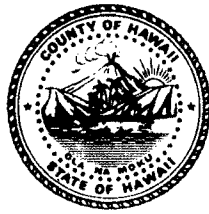
By removing subsection (a)(1), (a)(3) and (a)(4), the Department would only be able to prosecute OVUII cases involving alcohol when either a breath sample or blood sample is provided that

indicates a measurable amount of alcohol in the defendant's system. Because a defendant has the right to refuse to provide a breath or blood sample, any cases in which a BAC sample is not provided or obtained would be near impossible to prosecute.

In addition, currently under §291E-1, H.R.S., "measureable amount of alcohol" is defined as a test result equal to or greater than .02 but less than .08 of alcohol per one hundred milliliters or cubic centimeters of blood or equal to or greater than .02 but less than .08 grams of alcohol per two hundred ten liters of breath. Thus, the use of this term could essentially allow an individual to avoid prosecution under our OVUII statutes if their BAC is below .02 or anything above a .08.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu expresses strong concerns with S.B. 2510. Thank you for the opportunity to testify on this matter

Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 3, 2020

LATE

Senator Lorraine R. Inouye, Chair
Senator Breene Harimoto, Vice Chair
Committee on Transportation
Hawai'i State Legislature

Dear Chair Inouye, Vice-Chair Harimoto, and Committee members:

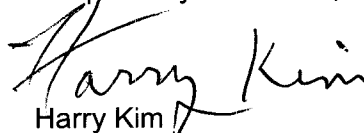
**RE: SB 2234 Relating to the use of intoxicants while operating a vehicle
SB 2510 Relating to operating a vehicle under the influence of an intoxicant.**

On your agenda today, you have two bills that deal with driving under the influence. This is important and timely, because too many lives are being lost on our highways as a consequence of impaired drivers behind a wheel.

In matters such as this, I think it important to follow the science. If there is good evidence that a driver is impaired if they have a blood alcohol concentration reading as low as .05, then I would support making that our new standard. My guess is that this is a measure that can be scientifically justified, since so many other jurisdictions around the world have adopted it.

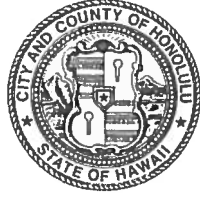
I would be more skeptical about declaring that people are under the influence if their breath or blood shows any measurable amount of alcohol. If the State wants to declare that total abstinence is necessary to operate a vehicle, it needs to be sure that there is scientific justification for such a position, a position that the public would see as extreme.

Respectfully Submitted,


Harry Kim
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE CT-LC

February 5, 2020

The Honorable Lorraine R. Inouye, Chair
and Members
Committee on Transportation
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 225
Honolulu, Hawaii 96813

Dear Chair Inouye and Members:

SUBJECT: Senate Bill No. 2510, Relating to Operating a Vehicle Under the Influence of an Intoxicant

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD appreciates the intent of Senate Bill No. 2510, Relating to Operating a Vehicle Under the Influence of an Intoxicant, and submits the following comments and recommendations.

The HPD supports the intent of this bill as impaired driving is a leading cause of traffic fatalities. Alcohol is one form of impairment commonly found in these cases. Reducing the legal limit to 0.05 blood alcohol concentration (0.05 or more grams of alcohol per 100 milliliters or cubic centimeters of blood or 0.05 grams of alcohol per 210 liters of breath) from 0.08 for the offense of Operating a Vehicle Under the Influence of an Intoxicant is a reasonable compromise to the current law rather than any measurable amount.

We are concerned that if a person is found to have any measurable amount of alcohol in their breath or blood, they may or may not be impaired. In a situation like this, it could prove to be unreasonable to enforce.

Thank you for the opportunity to testify.

APPROVED:

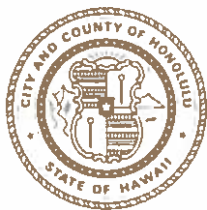
A handwritten signature in cursive script that reads "Susan Ballard".

Susan Ballard
Chief of Police

Sincerely,

A handwritten signature in cursive script that reads "Calvin Tong".

Calvin Tong, Major
Traffic Division



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 202
HONOLULU, HAWAII 96813-3065
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

KYMBERLY MARCOS PINE
COUNCILMEMBER, DISTRICT 1
TELEPHONE: (808) 768-5001
EMAIL: kmpine@honolulu.gov

February 5, 2020

The Honorable Lorraine R. Inouye, Chair
The Honorable Breene Harimoto, Vice Chair
and Members of the Committee on Transportation
Hawaii State Capitol, 225
415 S. Beretania Street
Honolulu, HI 96813

Subject: **SB 2510** – Relating to the Operating a Vehicle under the Influence of an Intoxicant

Dear Chair Inouye, Vice Chair Harimoto and Members of the Committee on Transportation:

I strongly support Senate Bill No. 2510 so we can deter willful drinking and driving. According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes every day. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year. According to 2016 Road Safety Facts data provided by the Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA), 29 people die every day in automotive crashes caused by drunk drivers.

NHTSA reports that 10,265 lives were lost due to drunk driving crashes in 2015, which accounts for nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone. According to Mothers Against Drunk Driving (MADD) statistics, 34 lives were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.

Please support this Bill so we can make Hawaii streets safer and prevent drunk-driving related deaths.

With Aloha,

A handwritten signature in black ink that reads "Kym Pine". The signature is written in a cursive, flowing style.

Kym Pine
Councilmember, District 1

SB-2510

Submitted on: 2/4/2020 6:37:10 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
mary	Testifying for Hawaii Medical Service Association [HMSA]	Support	No

Comments:

WE FULLY SUPPORT THIS BILL!



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
hi.state@madd.org



February 5, 2020

To: Senator Lorraine R. Inouye, Chair, Senate Committee on Transportation;
Senator Breene Harimoto, Vice Chair; and members of the Committee

From: Arkie Koehl and Carol McNamee, Public Policy Committee - MADD Hawaii

Re: Senate Bill 2510 – Relating to Operating a Vehicle Under the Influence of an Intoxicant

I am Carol McNamee, offering testimony on behalf of the Hawaii Chapter of Mothers Against Drunk Driving concerning Senate Bill 2510 – relating to the Use of Intoxicants While Operating a Vehicle. This bill will amend Hawaii's impaired driving statutes to reduce the illegal blood alcohol level for driving from the current .08 blood alcohol content to a zero – or lowest measurable - BAC.

MADD Hawaii is in support of the idea inherent in this bill that the current .08 BAC illegal level be significantly reduced to save lives.”

Too many Hawaii drivers still disregard the state's impaired driving law related to alcohol consumption with the result that our fatality rate is one of highest in the nation.

Thank you for this opportunity to testify.

SB-2510

Submitted on: 2/4/2020 6:43:19 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
pua auwae	Testifying for WAIANAE COAST COMPREHENSIVE HEALTH CENTER	Support	No

Comments:

WE FULLY SUPPORT THIS BILL!



Katie Jacoy
Western Counsel
31 West Road
Tacoma, WA 98406
www.wineinstitute.org
kjacoy@wineinstitute.org
360-790-5729

THE SENATE
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

COMMITTEE ON TRANSPORTATION

Testimony in Opposition to SB 2510

Chair Inouye, Vice-Chair Harimoto and Members of the Committee:

Thank you for the opportunity to provide testimony on SB 2510 RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT. Wine Institute, a public policy association representing 1,000 California wineries and associate members, is opposed to SB 2510 and offers the following comments.

SB 2510 reduces the legal threshold of alcohol concentration in breath or blood for the criminal offenses of operating a vehicle while under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant from .08 to any measurable amount of alcohol. Wine Institute supports education and the strict enforcement of laws to address drunk driving. The current legal threshold of .08 BAC (Blood Alcohol Concentration) was established as a safe level of consumption based on science and law enforcement guidance. Lowering the legal threshold would effectively criminalize moderate drinking by responsible adults and divert resources that should be used to target repeat offender and high BAC (.15 or higher) drivers.

Thank you for the opportunity to testify.

Erik K. Abe
55 South Kukui Street, #1606
Honolulu, Hawaii. 96813
Ph. (808) 537-3081. Cell: (808) 537-3081

TESTIMONY TO THE SENATE COMMITTEE ON TRANSPORTATION
WEDNESDAY, FEBRUARY 5, 2020; 1:15 P.M.
STATE CAPITOL, CONFERENCE ROOM 225

RE: SENATE BILL NO. 2510, RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

Chair Inouye, Vice Chair Harimoto, and Members of the Committee:

My name is Erik Abe, and I am the Public Affairs and Policy Director for the Hawaii Primary Care Association (HPCA). However, I am testifying today solely in my capacity as a concerned citizen, and my views expressed do not necessarily nor officially reflect those of the HPCA.

I am testifying in **SUPPORT** of Senate Bill No. 2510, RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

As received by your Committee, this bill would:

- (1) Change the standard for the offense of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant (OVUII) from .08 grams of alcohol (per 210 liters of breath or 100 milliliters of cubic centimeters of blood) to any measurable amount; and
- (2) Allow law enforcement to arrest a person if there is probable cause to believe that the person was operating a vehicle with a measurable amount of alcohol.

By way of background, I was requested three years ago by a friend, Mr. Ron Shimabuku, to assist his family draft legislation before the Hawaii State Legislature to strengthen Hawaii's laws applicable to driving under the influence of an intoxicant (OVUII). At that time, Mr. Shimabuku informed me that his hanai brother, Kaulana Werner, was killed by an intoxicated driver in Nanakuli, Island of Oahu, and that his family wanted to change the laws to prevent similar situations from occurring in the future to ease the suffering of families of victims.

This bill was drafted on behalf of the Werner Ohana and is presented to this Committee for its consideration.

During our examination of Hawaii's OVUII Law, we spoke with numerous police officers from across the State, all of whom requested to share their views "off the record". We learned that on any given night, between 30 and 40 drivers are detained on suspicion of driving under the influence. This comes out to between 11,000 and 15,000 detentions per year. However, because of the time it takes to test the blood alcohol level of drivers, as well as the reluctance of the City Prosecutor to prosecute these types of crimes, only 5,992 of the detained drivers were arrested last year.

At the point a police officer requests the suspect to submit to an alcohol level test, the suspect has the choice of either agreeing to or refusing to take the test. If the suspect chooses to take the test, the suspect is given the option of taking a breath test or a blood test. If the suspect chooses the blood test, it may take hours for the results to be determined because the suspect must be taken to an emergency room or another health facility to have the blood drawn and tested. The time it takes to have the blood drawn allows the suspect's body to metabolize the alcohol in it. As such, by the time the test results are found, the person's blood alcohol level may be considerably lower than it was at the time of the stop. And if the level is lower than .08, no violation would have taken place.

And even if the police officer obtains evidence that the suspect indeed had a blood level at or above .08, oftentimes, these cases are thrown out by the Office of the Prosecuting Attorney. For many of our front-line police officers, there is a perception that the Prosecutors look for any reason whatsoever to throw these types of cases out of court, either because of the complexity of obtaining a conviction, or the large amount of resources it takes to prosecute.

For front-line officers who risk their lives at night walking on busy streets to operate DUI checkpoints and confront sometimes agitated and impaired drivers, to have their work disregarded because the Prosecuting Attorney deems it wasteful to pursue these types of crimes is demoralizing to them and counter to the public policy that the OVUII Law was intended to serve.

In my opinion, the OVUII Law is fundamentally flawed because it rests on the premise that an individual is able to determine on his or her own whether he or she has reached a subjective level of intoxication (i.e., .08, .05, or any blood level). And every time someone dies from a drunk driver, it becomes evident to all that this public policy has failed.

This flaw, however, can be fixed if lawmakers mandate a "Zero Tolerance" policy. If a person wants the privilege of operating a vehicle in the State of Hawaii, the person must not have a measurable amount of alcohol in their blood while operating the vehicle at all times.

If the "Zero Tolerance" policy is applied to adults, law enforcement would only need to show that the offender had a measurable amount of alcohol in the person's blood. This would make enforcement much easier and serve as an even greater deterrent to operating a vehicle under the influence of an intoxicant. Also, if the individual refuses to take the test, the individual will face an even longer license revocation period with the Administrative Driver's License Revocation Office.

The business community, and especially small businesses, will argue that the establishment of such a policy will have an enormous financial impact on their sales. As a whole, however, the establishment of a "Zero Tolerance" policy may cause other businesses to thrive -- taxi cabs, and Uber will find more people seeking their services; the visitor industry could use this as an opportunity to campaign for more Kamaaina to go to resort areas and party rather than risk driving impaired; these are just a few examples where change will force businesses to evolve to meet the newer demands of consumers.

Some will say that such an approach is too strict. But compare this approach to the laws of England, for example. There, a person needs only to show the intent to drive under the influence to be convicted of OVUII. A person walking from a pub with keys in hand was stopped by a police officer. The person was trying to get to his car to go home. The person was arrested and convicted, and the conviction was upheld by the courts.

Lastly, some will also say that if the law is too strict, people will merely ignore it and keep driving while intoxicated. That could be said for any law enacted because there will always be some who will refuse to obey the law. But if a "Zero Tolerance" policy gets the majority, or a few, or even a single intoxicated driver off the roads, then that would be one less potential victim who would otherwise die.

For these reasons, I respectfully urge your favorable consideration of Senate Bill No. 2510.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact me.

Ron Shimabuku
ronkshimabuku@gmail.com
#808-295-4954

Testimony on Senate Bill No. 2510
RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN
INTOXICANT.

Wednesday, February 5, 2020

1:15pm

Conference Room 225

State Capitol

415 South Beretania Street

Re: Supporting Senate Bill No. 2520, Relating to Operating a Vehicle Under the Influence of an Intoxicant

Chair Lorraine Inouye, Vice Chair Breene Harimoto, and Members of the Committee:

My name is Ron Shimabuku and I am the hanai brother and godparent to the late Kaulana Matthew Auwae Werner, who as you are aware was the victim of a drunk driving, hit-and-run crash which occurred on the evening of April 24, 2016 in Nanakuli, Hawaii. I am testifying in **support of Senate Bill No. 2510** which:

1. Changes the standard for the offense of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant (OVUII) from .08 grams of alcohol (per 210 liters of breath or 100 milliliters of cubic centimeters of blood) to any measurable amount; and
2. Allows law enforcement to arrest a person if there is probable cause to believe that the person was operating a vehicle with a measurable amount of alcohol.

The Werner ohana's aspiration to rid Hawaii's streets of drunk driving and ensure the safety of our communities continues with this bill proposal. I respectfully ask that you consider the arguments set forth in the following article: <https://www.civilbeat.org/2020/01/zero-tolerance-essential-for-keeping-hawaiis-roads-safe/#comments>

Additionally, I would also ask that you reflect on the following questions to assist in making a determination on this measure.

- Why are there differing laws in Hawaii to substantiate a blood alcohol content (BAC) level for drinking and driving? i.e. 0.08% BAC for adults versus a measurable BAC for minors.
- If an individual consumes alcohol with an intent to drive, would this individual be able to identify the number of beverages it takes to get to the current BAC threshold of under 0.08% which allows this individual to drink and drive under Hawaii law?
- It is proven that alcohol alters an individual's state of mind and decision-making ability. If an individual consumes alcohol with an intent to drive, is this individual's state of mind altered causing a false decision on how many beverages was consumed?

Finally, here is additional information to take note of:

- These are several countries that have zero tolerance laws in place for drinking and driving: China, Colombia, Czech Republic, Hungary, Japan, and Vietnam. This is not an exhaustive list. It should be noted that although Australia's BAC limit is 0.05%, operators of commercial vehicles are subject to a zero tolerance policy.
- The following countries have a 0.02% BAC threshold limit for drinking and driving: Norway, Poland, Russia, and Sweden.

I point out these examples to stress that the United States will not be unique if a zero tolerance law were to be adopted by a state. These countries have taken a strong stance against a preventable disease. Many of citizens of these countries consume tons of alcohol throughout their lifetime, however, that does not mean drinking and driving is condoned. I believe these countries got it right and they are very concerned about saving lives.

We need to strongly consider or at minimum have a discussion on how to ensure our roads are safe from drunk drivers. Thank you for the opportunity to testify. Should you have any questions, please feel free to contact me.

SB-2510

Submitted on: 2/4/2020 9:16:39 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elijah Werner	Individual	Support	No

Comments:

I am the VOICE FOR KAULANA WERNER, JONAH RAGSDALE, DANIEL MOLE, DR. EUGENE CHIN, AARON MALAMA, MR. LAU, AND ALL THE VICTIMS WHO LOST THEIR LIVES TO DRUNK DRIVERS! NO MORE VICTIMS! I am in full support of this SB2510. Zero Tolerance! No more Innocent lives taken by Drunk Drivers! Too many VICTIMS lose their lives over this 100% Preventable cause. People who chose to drink get behind the wheel and drive should take the responsibility of their actions. NO MORE VICTIMS, NO MORE INNOCENT LIVES TAKEN BY DRUNK DRIVING. MY FAMILY AND I Stand Firm on all the INNOCENT LIVES TAKEN BY DRUNK DRIVERS!!!

SB-2510

Submitted on: 2/4/2020 9:25:57 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lexie	Individual	Support	No

Comments:

SB-2510

Submitted on: 2/4/2020 9:30:49 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnelle Werner-Celes	Individual	Support	No

Comments:

Testimony on Senate Bill No. 2510

**RELATING TO OPERATING A VEHICLE
UNDER THE INFLUENCE OF AN
INTOXICANT**

Wednesday, February 5, 2020

1:15pm

Conference Room 225

State Capitol

415 South Beretania Street

Chair Lorraine Inouye, Vice Chair Breene Harimoto, and Members of the Committee:

My name is Ronnelle Werner-Celes and I am the Sister of Kaulana Werner a child, a brother, a uncle, cousin, nephew I can go on and on a loved one who fell victim to this

horrible epidemic called drunk driving. His death didn't have to happen at the hands of a wreck less stupid act that is 100% preventable. It's about time we take a stand for our people and put a end to this, We had enough already. We are so sick of hearing new families who we now share the same horrific pain that will never go away. We need to take a stand for stricter penalties for people who commit these types of crimes. They forever changed the lives of our family. They need to be punished to the full extent or they will continue to go out and rob the lives of innocent people. Why have laws if people will continue to break them? Enough is enough. I lost my brother forever, She should stay in jail forever. A life for a life. I am requesting that Senate Bill No. 2510 which:

1. Changes the standard for the offense of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant (OVUII) from .08 grams of alcohol (per 210 liters of breath or 100 milliliters of cubic centimeters of blood) to any measurable amount; and
2. Allows law enforcement to arrest a person if there is probable cause to believe that the person was operating a vehicle with a measurable amount of alcohol.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully drink and drive.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. This bill sends a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes every day. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- According to 2016 Road Safety Facts data provided by the Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA), 29 people die every day in automotive crashes caused by drunk drivers.
- NHTSA reports that 10,265 lives were loss due to drunk driving crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.
- According to Mothers Against Drunk Driving (MADD) statistics, 34 lives loss were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you support this bill**. It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!

Ronnelle Werner-Celes

SB-2510

Submitted on: 2/4/2020 10:00:44 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
ed werner	Individual	Support	No

Comments:

Aloha my name is Ed Werner and I'm in support of SB (Zero Tolerance) On April 24, 2016 My son was killed by a drunk driver across of my home in Nanakuli, Hawaii. The convicted person was charged with Negligent Homicide and given 10years to maybe a chance to get probation. She was drunk, wreckless, malicious, lied through the years months since she killed my son kaulana and until today still has no remorse for her actions. After she serves her time, she will be released and go on with her life here on this earth. My son was robbed from his life at the age of 19. My family and I will never see him graduate from college, get married or have children. He had his whole life ahead of him and chose to rob him of it all. Zero Tolerance...Zero Tolerance...Zero Tolerance, which really I feel deep down that it was murder, its the no difference from killing someone with a gun. Sorry but, its my broken heart that sheds every second of my life. Thats is why I choose to fight for him every chance I can. There are too many lives taken by drunk driving crashes and get charged with Negligent Homicide. Ten years to Probation for getting behind the wheel intoxicated and killing a innocent person. Too many of these cases has unfolded before and after our case. I feel if someone thinks they are responsible when they drink, then they should be responsible for the consequences of actions occur after you get behind the wheel drunk! Please help the Victims and their families get some type of closure if these people choose to drink and get behind the wheel intoxicated. Victims and their Families deserve it, because ALL LIVES MATTER! NO MORE VICTIMS! Thank you for your time,

Ed Werner The Voice for my Innocent Son Kaulana Werner

SB-2510

Submitted on: 2/4/2020 11:36:23 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Isturm	Individual	Support	No

Comments:

Chair Lorraine Inouye, Vice Chair Breene Harimoto, and Members of the Committee:

Having lost a family member to a drunk driver who failed to render render aid, I know first hand the impact drinking and driving has on the victim's family. It changes everything, forever.

I strongly support this bill. This bill adds to the deterrence for individuals who willfully drink and drive.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. This bill sends a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous.

I ask that **you support this bill.** It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!

February 5, 2020

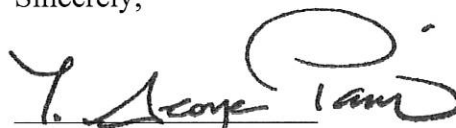
Senator Lorraine R. Inouye, Chair
Conference Room 225
State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: SB2510 Relating to Operating a Vehicle Under the Influence of an Intoxicant

Aloha Chair Lorraine R. Inouye, Vice Chair Breene Harimoto, and members of the committee:

I **SUPPORT** the intent of SB2510. This bill changes the standard for the offenses of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant from .08 grams of alcohol per 210 liters of breath or 100 milliliters or cubic centimeters of blood to any measurable amount of alcohol in the person's breath or blood and allows law enforcement officers to arrest a person if there is probable cause to believe that the person was operating a vehicle with a measurable amount of alcohol in the person's breath or blood. This bill, if enacted, will create a "zero-tolerance" law against drinking and driving. The National Highway Traffic Safety Administration in their "Determine Why There Are Fewer young Alcohol-Impaired Drivers" report (2001), clarifies that zero-tolerance laws have decreased youth drinking and driving and alcohol related accidents and deaths. This bill, if enacted, will help to safeguard our loved ones by ensuring that our community understands that it is not okay to drink alcohol and drive and discourage drinking and driving no matter what the age of the person. The enactment of this bill will help protect all our community members on the road and decrease the amount of families that receive the terrible news of the death of a loved one due to driving under the influence of alcohol.

Sincerely,


T. George Paris
87-1890 Farrington Hwy
Waianae, HI 96792

SB-2510

Submitted on: 2/5/2020 11:38:30 AM

Testimony for TRS on 2/5/2020 1:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kari Benes	Individual	Support	No

Comments: