STAND. COM. REP. NO. 2293

Honolulu, Hawaii

FOB 17

, 2006

RE:

S.B. No. 2215

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Transportation and Government Operations, to which was referred S.B. No. 2215 entitled:

"A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A MOTOR VEHICLE,"

begs leave to report as follows:

The purpose of this measure is to create a category of "highly intoxicated driver" for a person with a 0.15 blood alcohol reading for the purpose of enhanced penalties under driving while intoxicated law.

Your Committee received testimony in support of this measure from the Department of Transportation (DOT), the Department of Health, and Mothers Against Drunk Driving (MADD). Testimony in opposition was received from the Public Defender.

Your Committee finds that persons who are highly intoxicated are an enhanced danger while driving and deserve enhanced penalties. According to the National Transportation Safety Board, drivers with a high blood alcohol content pose an increased risk of crashes, injuries, and fatalities.

According to the DOT, a person with a 0.15 percent blood alcohol level is 380 times more likely to be involved in a fatal crash than a non-drinking driver. Presently, thirty two states and the District of Columbia have high blood alcohol laws that adopt the 0.15 standard.



This measure adopts the national MADD recommendations by making sanctions for driving with a high blood alcohol concentration similar to laws for repeat offenders. Upon the recommendation of MADD, your Committee has amended this measure by providing for a six month driver's license revocation and plate impoundment for an administrative revocation.

As affirmed by the record of votes of the members of your Committee on Transportation and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2215, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Transportation and Government Operations,

LORRAINE R. INCUYE Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Transportation and Government Operations (Bills and Resolutions)

| Measure:* 2215 | Committee Referral: | | Date: | Date: 2/13/06 | |
|--|---------------------|-----------------------|--------------------|--|-------------------------|
| The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | |
| The Recommendation is to: | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313) | | | | | |
| Members | | Ayes | Ayes(WR) | Nays | Excused |
| INOUYE, Lorraine R. (C) | | | | | |
| ESPERO, Will (VC) | | | | · · · · · · · · · · · · · · · · · · · | |
| BAKER, Rosalyn H. | - Spire | u jako oran jako oran | Salada e i | | ✓ |
| HEE, Clayton | | | | | |
| KANNO, Brian | | The same of Causas of | | | √ |
| MENOR, Ron | 19.0 | | | | ✓ |
| WHALEN, Paul | | | Calle Albert gest | The three controls | |
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| TOTAL | | 4 | | | 3 |
| Recommendation: Adopted 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 | | | | | |

^{*}Do <u>not</u> list more than one measure per Record of Votes.