

STAND. COM. REP. NO.

991

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 981
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred H.B. No. 981, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to amend Act 171, Session Laws of Hawaii (SLH) 2008, relating to the implementation of use of an ignition interlock device, to reflect recommendations of the Hawaii Ignition Interlock Implementation Task Force, and to extend the life of the Task Force to January 1, 2011.

Your Committee received testimony in support of this measure from the Department of Health; the Department of Transportation; the Department of the Prosecuting Attorney; the Hawaii Ignition Interlock Implementation Task Force; and Mothers Against Drunk Driving HAWAII. Testimony in opposition was received from Hawaii Insurers Council. Comments were received from the Judiciary, the Public Defender, and The Century Council. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The Hawaii Ignition Interlock Implementation Task Force was created by Act 171, SLH 2008, to make recommendations to the Legislature to implement Act 171. The Task Force was broadly representative of the Legislature, the Judiciary, relevant executive departments of the State and counties, and concerned

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citizen groups. Recognizing the need to resolve a number of outstanding issues in the transition to use ignition interlock devices, the Legislature delayed the effective date of Act 171 to July 1, 2010.

Your Committee finds that the use of an ignition interlock device prevents drivers previously arrested for driving under the influence of intoxicants from starting or operating a motor vehicle with more than a minimal alcohol concentration while their case is pending or while their license is revoked.

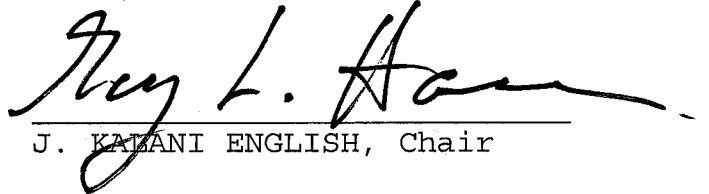
Your Committee notes that numerous steps have been taken by the Legislature over the past twenty-five years to address the toll exacted from our community by those who operate motor vehicles under the influence of alcohol or drugs, or both. These include providing increased criminal penalties, from larger fines and longer license suspensions and prison terms to forfeiture of the motor vehicle involved in the crime. New criminal offenses have been created to address causing death with a motor vehicle while under the influence of alcohol or drugs to habitually driving under the influence. Administrative license revocation has been enacted to quickly revoke a driver's license while the courts determine what penalties are appropriate. Special attention has been given to repeat offenders, offenders who are highly intoxicated, youthful offenders, and those who drive under the influence with a child in the vehicle. Your Committee believes that using interlock devices to deter intoxicated drivers from driving is a natural extension of these policies.

Your Committee has amended this measure by deleting its contents and inserting the provisions of Senate Bill No. 716, S.D. 1, a similar measure, along with conforming technical amendments thereto.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 981, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 981, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.



Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,



J. KALANI ENGLISH, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* HB 981, HD2	Committee Referral: TIA, JFO	Date: 3-18-09.		
<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
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
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