

JAN 23 2015

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# A BILL FOR AN ACT

RELATING TO PENALTIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1.   Section 291E-62, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3       "(b)   Any person convicted of violating this section shall  
4 be sentenced as follows without possibility of probation or  
5 suspension of sentence:

6       (1)   For a first offense, or any offense not preceded  
7           within a five-year period by conviction for an offense  
8           under this section, section 291E-66, or section 291-  
9           4.5 as that section was in effect on December 31,  
10          2001:

11       (A)   A term of imprisonment of not less than [~~three~~]  
12           ten consecutive days but not more than thirty  
13           days;

14       (B)   A fine of not less than \$250 but not more than  
15           \$1,000;

16       (C)   Revocation of license and privilege to operate a  
17           vehicle for an additional year; and



(D) Loss of the privilege to operate a vehicle equipped with an ignition interlock device, if applicable;

(2) For an offense that occurs within five years of a prior conviction for an offense under this section, section 291E-66, or section 291-4.5 as that section was in effect on December 31, 2001:

(A) ~~[Thirty]~~ A term of imprisonment of not less than thirty days [imprisonment,] but not more than sixty days;

(B) A \$1,000 fine;

(C) Revocation of license and privilege to operate a vehicle for an additional two years; and

(D) Loss of the privilege to operate a vehicle equipped with an ignition interlock device, if applicable; and

(3) For an offense that occurs within five years of two or more prior convictions for offenses under this section, section 291E-66, or section 291-4.5 as that section was in effect on December 31, 2001, or any combination thereof:



- (A) One year imprisonment;
- (B) A \$2,000 fine;
- (C) Permanent revocation of the person's license and privilege to operate a vehicle; and
- (D) Loss of the privilege to operate a vehicle equipped with an ignition interlock device, if applicable."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

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# S.B. NO. 613

**Report Title:**

Penalties; Operating a Vehicle

**Description:**

Enhances penalties for a conviction of operating a vehicle after license and privilege have been suspended or operating a vehicle under the influence of an intoxicant.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

