

STAND. COM. REP. NO. 1397

Honolulu, Hawaii

, 2019

MAR 19

RE: S.B. No. 641

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 641 entitled:

"A BILL FOR AN ACT RELATING TO INTOXICANTS,"

begs leave to report as follows:

The purpose of this measure is to amend the definition of "drug" and "substance" in section 291E-1, Hawaii Revised Statutes, and add the definition of "substance abuse" to the same section for purposes of prosecuting violations for operating a vehicle under the influence of an intoxicant.

The Department of Transportation, Honolulu Police Department, Councilmember representing District 9 of the City and County of Honolulu, Hawaii Strategic Highway Safety Plan, AAA Hawai'i, Hawaii Chapter of Mothers Against Drunk Driving, and one individual testified in support of this measure. The Office of the Public Defender and The Drug Policy Forum of Hawai'i testified in opposition to this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to promote further discussion.

Your Committee finds that during the public hearing on this measure, a concern was raised about determining the level or threshold for intoxication in instances where there is no

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statutory or per se definition of intoxication for the drug or substance that has been ingested. Your Committee respectfully requests that should your Committee on Judiciary deliberate this measure further that it consider continuing the discussion of determining a method to identify the threshold between the therapeutic or cultural use of a substance and impairment from the substance.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 641, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 641, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,


HENRY J.C. AQUINO, Chair



