

STAND. COM. REP. NO.

116

Honolulu, Hawaii

FEB 08 2019

RE: S.B. No. 641

Honorable Ronald D. Kouchi
President of the Senate
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 and intent of this measure is to add the definition of "substance abuse" and amend the definitions of "drug" and "substance" for purposes of violations due to operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, County of Hawai'i Police Department, County of Hawaii Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, Honolulu Police Department, Highway Strategic Highway Safety Plan, and Mothers Against Drunk Driving Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the existing definition of a drug under the Uniform Controlled Substance Act limits law enforcement and prosecutors from keeping roads safe from impaired drivers as it does not encompass many substances that are being abused by individuals. Because those substances do fall under the definition of a drug in existing law, those abusing the substances are free to drive while impaired on Hawaii's roads. It is difficult for laws to catch up with the constant changing chemicals and newly developed drugs, thereby causing problems for



law enforcement to keep Hawaii's roads safe. This measure would provide clarity with respect to how substance abuse and drugs are defined in law, ensuring safety for residents and visitors of Hawaii.

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 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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


LORRAINE R. INOUE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:* SB 641	Committee Referral: TRS, JDC	Date: 2/4/19		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)				✓
ENGLISH, J. Kalani	✓			
SHIMABUKURO, Maile S.L.				✓
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>April Gosh</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes