STAND. COM. REP. NO. 805

Honolulu, Hawaii FEB 2 8 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 Judiciary, 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, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Mothers against Drunk Driving Hawaii, Hawaii Strategic Highway Safety Plan, AAA Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Drug Policy Forum of Hawai'i.

Your Committee finds that the existing definition of a drug under the use of intoxicants while operating a vehicle statute does not encompass many substances that are being abused by individuals, thereby limiting law enforcement and prosecutors from keeping roads safe from impaired drivers. Your Committee further finds that there are many substances that can impair a driver but are not listed as a controlled substance under the Uniformed Controlled Substance Act, allowing those abusing those substances to drive on the State's roads while impaired. This measure would



STAND. COM. REP. NO. 805 Page 2

provide clarity with respect to how substance abuse and drugs are defined in law, ensuring the safety of residents and visitors of the State.

As affirmed by the record of votes of the members of your Committee on Judiciary 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 Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee		Dat		
SB641 TRS, JDC 2/21/19					
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		\sim			
WAKAI, Glenn (VC)					
GABBARD, Mike		V			
KIM, Donna Mercado					
FEVELLA, Kurt				. –	\checkmark
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TOTAL	<u> </u>	2	Ý	<u> </u>	2
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Plot Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes