

Honolulu, Hawaii

MAR 1 - 2019

RE: S.B. No. 645
S.D. 1

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. 645 entitled:

"A BILL FOR AN ACT RELATING TO THE IGNITION INTERLOCK PROGRAM,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require that the revocation of license period for operating a vehicle under the influence of an intoxicant be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person;
- (2) Establish requirements for removal of a required ignition interlock device; and
- (3) Allow a defendant to enroll/participate in an alcohol or substance abuse education or treatment program, or a sobriety program prior to conviction, which may count toward satisfying any mandatory enrollment/participation later ordered by the court.

Your Committee received testimony in support of this measure from the Department of Transportation; Casanova Powell Consulting; National 24/7 Advisory Council; Foundation for Advancing Alcohol



Responsibility; Traffic Injury Research Foundation; Smart Start, LLC; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawaii; Hawaii Strategic Highway Safety Plan; and one individual. Your Committee received testimony in opposition to this measure from SCRAM Systems.

Your Committee finds that ignition interlock systems are an effective way of preventing previous driving under the influence offenders from driving while drunk if the ignition interlock program is diligently adhered to. Your Committee further finds that allowing offenders to simply wait out the license revocation period is not consistent with the goals of the ignition interlock program. Your Committee additionally finds that a compliance-based removal system whereby offenders must prove compliance with ignition interlock program rules before their devices are removed is already the law in twenty-eight states. This measure will enhance the ignition interlock program by implementing best practices in the promotion of sober driving.

Your Committee has amended this measure by:

- (1) Expanding the ignition interlock system to include other monitoring systems or technology that monitors a driver's alcohol concentration;
- (2) Authorizing the court to order that a person install an alternative monitoring system or technology that fulfills an equivalent function to an ignition interlock; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 645, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 645, S.D. 1.



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

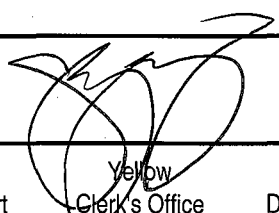
Karl Rhoads

KARL RHOADS, Chair



The Senate
 Thirtieth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

| Bill / Resolution No.:* <i>SB 645</i> | Committee Referral: <i>PSM, JDC</i> | Date: <i>2/21/19</i> | | |
|--|--|-------------------------|----------|----------|
| <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 |
| RHOADS, Karl (C) | ✓ | | | |
| WAKAI, Glenn (VC) | ✓ | | | |
| GABBARD, Mike | ✓ | | | |
| KIM, Donna Mercado | | | | ✓ |
| FEVELLA, Kurt | | | | ✓ |
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| TOTAL | <i>3</i> | <i>0</i> | <i>0</i> | <i>2</i> |
| 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