

Honolulu, Hawaii

, 2020

FEB 07

RE: H.B. No. 2174
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2174 entitled:

"A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the penalties, license revocation periods, and lookback periods for offenses involving operating a vehicle under the influence of an intoxicant; and
- (2) Establish sentencing requirements for and define "highly intoxicated operator".

Your Committee received testimony in support of this measure from the Honolulu Police Department, Maui Metropolitan Planning Organization Policy Board, and Smart Start LLC.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language that:

- (1) Defines "highly intoxicated driver";



- (2) Provides the evidentiary standard for establishing that a person was a "highly intoxicated driver";
- (3) Requires that ignition interlock devices be installed and maintained on one or more vehicles registered to and all vehicles operated by anyone convicted of operating a vehicle under the influence of an intoxicant, during the applicable period of license revocation;
- (4) Increases the license revocation period ordered by the Administrative Driver's License Revocation Office and extending the applicable lookback periods from five to ten years;
- (5) Establishes higher penalties for a highly intoxicated driver operating a vehicle; and
- (6) Amends the penalties for offenses of operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Transportation and Mothers Against Drunk Driving Hawaii. Your Committee received comments on the proposed H.D. 1 from one individual.


Your Committee finds that the proposed H.D. 1 is a product of the collaborative effort by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group, Hawaii Association of Criminal Defense Lawyers, and Office of the Public Defender to address Hawaii's increasing number of traffic fatalities involving alcohol and drugs.

Your Committee has amended this measure by adopting the proposed H.D. 1.

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 H.B. No. 2174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2174, 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. AQUINO, Chair



