STAND. COM. REP. NO. 3109

Honolulu, Hawaii

FEB 2 8 2020

S.B. No. 2329 RE: S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2329, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IGNITION INTERLOCK DEVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend provisions relating to ignition interlock devices. Specifically, this measure:

- Requires any person operating a vehicle with an ignition interlock device to have government issued identification in their immediate possession;
- (2) Expands the lookback period for convictions relating to ignition interlock device requirements from five to ten years;
- (3) Amends the sentencing guideline to be between six months and one year;
- (4)Requires consecutive terms of imprisonment for anyone convicted for operating a vehicle under the influence of an intoxicant if arising from the same conduct as the conviction for operating a vehicle after losing driving privileges for operation of a vehicle while under the influence of an intoxicant; and

Expands the offense of circumventing or tampering with an ignition interlock device to include obscuring the camera lens.

Your Committee received testimony in support of this measure from the Department of Transportation; Office of the Prosecuting Attorney of the County of Hawaii; and Smart Start LLC, Hawaii Corporate Office. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that according to the National Highway Traffic Safety Administration, Hawaii ranks fifth worst in the nation for the percentage of alcohol-impaired driving fatalities. This measure strengthens provisions and penalties relating to ignition interlock devices to deter drunk driving and save lives.

Your Committee has amended this measure by 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. 2329, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2329, S.D. 2.

> 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.:*  SB 2329 SDI	Committee Referral:  TRS/PSM, JDC  Z/25/2020				
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 2313					
Members	· · · · · · · · · · · · · · · · · · ·	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
KEOHOKALOLE, Jarrett (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt	····				
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TOTAL		4			\
Recommendation: Adopted			Not Adopted		
Chair's or Designee's Signature.					
Distribution: Original File with Committee Rep	Yellow Pink Goldenrod oort Clerk's Office Drafting Agency Committee File Copy				

<sup>\*</sup>Only one measure per Record of Votes