STAND. COM. REP. NO. 391

Honolulu, Hawaii

, 2019

MAR 19

RE: S.B. No. 641

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives 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 of this measure is to amend the definition of "drug" and "substance" in section 291E-1, Hawaii Revised Statutes, and add the definition of "substance abuse" to the same section for purposes of prosecuting violations for operating a vehicle under the influence of an intoxicant.

The Department of Transportation, Honolulu Police Department, Councilmember representing District 9 of the City and County of Honolulu, Hawaii Strategic Highway Safety Plan, AAA Hawaiii, Hawaii Chapter of Mothers Against Drunk Driving, and one individual testified in support of this measure. The Office of the Public Defender and The Drug Policy Forum of Hawaiii testified in opposition to this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to promote further discussion.

Your Committee finds that during the public hearing on this measure, a concern was raised about determining the level or threshold for intoxication in instances where there is no

statutory or per se definition of intoxication for the drug or substance that has been ingested. Your Committee respectfully requests that should your Committee on Judiciary deliberate this measure further that it consider continuing the discussion of determining a method to identify the threshold between the therapeutic or cultural use of a substance and impairment from the substance.

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, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 641, 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.C. AQUINO, Chadr

State of Hawaii House of Representatives The THIRTIETH Legislature HSCR 1397

Record of Votes of the Committee on Transportation

Bill/Resolution No.:	Committee Referral: TRN, JUD	Date:	2/5/19	
SB 641			21211	-
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)				
2. HASHIMOTO, Troy N. (VC)				
3. BROWER, Tom				
4. CULLEN, Ty J.K.				
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5. HASHEM, Mark J.		1.3		
6. MATAYOSHI, Scot Z.			4	<u> </u>
6. MATAYOSHI, Scot Z.				
7. WOODSON, Justin H.				A STATE OF THE STA
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8. McDERMOTT, Bob			<u> </u>	anger a la l
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TOTAL (8)	8			
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				