
A BILL FOR AN ACT

RELATING TO MANSLAUGHTER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that when an offender
2 chooses to drink to levels of intoxication and recklessly
3 operates a vehicle in a manner that results in the death of
4 another person, the offender has demonstrated reckless rather
5 than negligent behavior, which should result in a charge of
6 manslaughter.

7 SECTION 2. Section 707-702, Hawaii Revised Statutes, is
8 amended by amending subsection (1) to read as follows:

9 "(1) A person commits the offense of manslaughter if:

10 (a) The person recklessly causes the death of another
11 person; [~~or~~]

12 (b) The person intentionally causes another person to
13 commit suicide; or

14 (c) The person causes the death of another person by
15 recklessly operating a motor vehicle with .08 or more
16 grams of alcohol per two hundred ten liters of breath



1 or .08 or more grams of alcohol per one hundred
2 milliliters or cubic centimeters of blood;
3 provided that this section shall not apply to actions taken
4 under chapter 327L."

5 SECTION 3. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Manslaughter; Driving Under the Influence

Description:

Authorizes manslaughter prosecutions of persons who cause the death of another person by recklessly operating a motor vehicle with .08 or more grams of alcohol per two hundred ten liters of breath or .08 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood. (SD1)

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