

Honolulu, Hawaii

MAR 05 2021

RE: S.B. No. 153
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 153, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish penalties for violations of the ignition interlock device law; and
- (2) Require proof of compliance with the ignition interlock device law to be eligible to apply for a driver's license.

Your Committee received testimony in support of this measure from the Department of Transportation; AAA Hawai'i; Traffic Injury Research Foundation; Smart Start, LLC; Foundation for Advancing Alcohol Responsibility; Mothers Against Drunk Driving Hawaii; and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that ignition interlock devices prevent an intoxicated driver from operating a motor vehicle if their breath alcohol concentration exceeds a set point. Since its



inception in 2011, the ignition interlock program has prevented over one million impaired driving attempts. Your Committee further finds that assessing the compliance of individuals who are required to install an ignition interlock device but do not own vehicles is challenging, and a longer period of revocation in such situations may be appropriate. In addition, your Committee acknowledges that the cost associated with the ignition interlock program unjustly disadvantages some individuals.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Transportation to provide ignition interlock device installation and services at no cost to qualifying individuals;
- (2) Clarifying that the disqualification from eligibility for a driver's license for persons failing to provide proof of compliance with certain conditions applies to persons who have an ignition interlock device installed in all vehicles the person owns or drives;
- (3) Doubling the revocation period for those required to install an ignition interlock device but do not own a vehicle in which to install one;
- (4) Removing unnecessary and redundant language; 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. 153, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 153, S.D. 2.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 153 SD1	Committee Referral: TRS, JDC	Date: 02/24/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**