STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 0 4 2021

RE: S.B. No. 754

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. 754 entitled:

"A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE WHILE INTOXICATED,"

begs leave to report as follows:

The purpose and intent of this measure is to lower the blood alcohol concentration (BAC) threshold from .08 to .05 for the offense of operating a vehicle while under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawai'i Police Department, Maui County Council, Maui Police Department, National Safety Council, Mothers Against Drunk Driving HAWAII, Hawai'i Alcohol Policy Alliance, and eight individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Beverage Institute, Hawaiian Craft Brewers Guild, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that alcohol-impaired driving has been a factor in approximately twenty percent of all traffic fatalities and critical collisions on Oahu roadways and thirty-one percent of all traffic fatalities and critical collisions on Hawaii County roadways. According to the National Transportation Safety Board, the risk of being in a fatal collision is at least seven times

higher for drivers with a BAC between .05 and .79 than for drivers with no alcohol in their system. Additionally, twenty years of international studies have shown that when a country lowers BAC limits from .08 to .05, alcohol-related fatal and injury crashes decrease between five and ten percent. To date, approximately one hundred other countries, including most of Europe and Australia, have adopted laws prohibiting operation of a motor vehicle with a BAC of .05 or higher. This measure will align Hawai'i with the growing number of jurisdictions worldwide that recognize that driving with a BAC of .05 is a significant danger to the community.

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. 754 and recommends that it pass Third Reading.

> 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.:*	Committee Referral:			Date:	
SB 754	TRS, JDC			02/25/2021	
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 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		<b>✓</b>			
KEOHOKALOLE, Jarrett (VC)		<b>✓</b>			
ACASIO, Laura			7		
GABBARD, Mike		<b>✓</b>			
KIM, Donna Mercado		<b>✓</b>			
LEE, Chris		<b>V</b>			
FEVELLA, Kurt					
		·			
TOTAL		6	1	0	0
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re	Yellow port Clerk's Office		Pink Goldenrod Drafting Agency Committee File Copy		

\*Only one measure per Record of Votes