STAND. COM. REP. NO. 782 -22

Honolulu, Hawaii MAR 03' <sup>2022</sup> RE: H.B. No. 2337 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2337 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to clarify the definitions of "drug", "substance", and "substance abuse" for purposes of operating a vehicle under the influence of an intoxicant violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that under existing law, the prosecution must prove beyond a reasonable doubt that a person was under the influence of a controlled substance under the Uniform Controlled Substances Act, or its metabolites, in order to convict a person of operating a vehicle under the influence of an intoxicant. However, there are several drugs that can cause serious impairment that are not scheduled or controlled substances, including kava, certain muscle relaxants, and synthetic drugs such as "spice" and "bath salts". This measure clarifies the definitions used for violations of operating a vehicle under the influence of an intoxicant to include substances that, when taken into the human

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body, can impair the ability of a person to operate a vehicle safely.

Your Committee has amended this measure by:

- Changing the effective date to January 1, 2222, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

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## State of Hawaii House of Representatives The Thirty-first Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2337	37 Committee Referral: JHA		Date: 2 - 8 - 22		
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)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. NAKASHIMA, Mark M. (C)					
2. MATAYOSHI, Scot Z. (VC)	<i>ν</i>				
3. ICHIYAMA, Linda					
4. KOBAYASHI, Dale T.					
5. LoPRESTI, Matthew S.			. Billion apoliticada		
6. LOWEN, Nicole E.					
7. McKELVEY, Angus L.K.	-				
8. NAKAMURA, Nadine K.					
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9. TAKUMI, Roy M.					
10. TODD, Chris					
11. TOKIOKA, James Kunane					
12. WARD, Gene	n an				
<b>TOTAL (12)</b>	10	ð d	X	2	
The recommendation is: Adopted I Not Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					

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