

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2133
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2133 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) Prohibit any person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law; and
- (2) Prohibit a person from driving for two years if the person does not own or have the use of a vehicle for the installation of an ignition interlock device or is otherwise unable to drive during the revocation period.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Casanova Powell Consulting, Smart Start, Traffic Injury Research Foundation, and the Foundation for Advancing Alcohol Responsibility. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your

Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that driving under the influence of an intoxicant is a serious and highly dangerous offense. Ignition interlock devices are designed to prevent a person under the influence from driving their vehicle. This measure requires compliance with the ignition interlock law for offenders if they wish to be eligible for a driver's license. This measure further provides that if the offender does not have a vehicle that can have an interlock ignition device installed or otherwise is unable to drive during the revocation period, they are prohibited from driving for two years.

Your Committee finds that this measure is intended to deter driving under the influence. Your Committee has heard the concerns raised in testimony and acknowledges that several other measures relating to ignition interlock devices have been introduced during the current session. Accordingly, your Committee finds that it is best to consolidate several of the provisions proposed into this measure.

Your Committee has therefore amended this measure by deleting its contents and inserting language to:

- (1) Require any person operating a vehicle with an ignition interlock device to have government issued identification in their immediate possession;
- (2) Expand the offense of circumventing or tampering with an ignition interlock device to include obscuring the camera lens or not providing a picture of the driver;
- (3) Impose a fine for operation of a motor vehicle by a person with a blood alcohol concentration between .05 and .08;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2133, S.D. 1, and be referred to your Committee on Judiciary.

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



CHRIS LEE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:* SB 2133	Committee Referral: TRS, JDC	Date: 2-17-2022
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)				✓
DECOITE, Lynn	✓			
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes