
A BILL FOR AN ACT

RELATING TO THE STATEWIDE TRAFFIC CODE.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291C- Operation of motor vehicle with certain blood or
5 breath alcohol content prohibited. (a) A person violates this
6 section if the person operates or assumes actual physical
7 control of a motor vehicle and there is in excess of .05 grams
8 but less than .08 grams of alcohol per one hundred milliliters
9 or cubic centimeters of defendant's blood or .05 grams but less
10 than .08 grams of alcohol per two hundred ten liters of
11 defendant's breath found in the defendant's blood or breath
12 within three hours after the time of the alleged violation as
13 shown by chemical analysis or other approved analytical
14 techniques.

15 (b) Every person who violates this section shall be
16 subject to a fine of \$."



1 SECTION 2. Section 291E-62, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No person whose license and privilege to operate a
4 vehicle have been revoked, suspended, or otherwise restricted
5 pursuant to this section or to part III or section 291E-61 or
6 291E-61.5, as those provisions were in effect on December 31,
7 2001, shall operate or assume actual physical control of any
8 vehicle:

- 9 (1) In violation of any restrictions placed on the
10 person's license;
- 11 (2) While the person's license or privilege to operate a
12 vehicle remains suspended or revoked;
- 13 (3) Without installing an ignition interlock device
14 required by this chapter; or
- 15 (4) With an ignition interlock permit unless the person
16 has the ignition interlock permit and government-
17 issued identification in the person's immediate
18 possession. For purposes of this paragraph,
19 "government-issued identification" means:
- 20 (A) A passport issued by the United States of
21 America;



- 1 (B) A driver's license issued pursuant to any state
2 or District of Columbia law;
- 3 (C) An identification card issued by any state or
4 local government or the Bureau of Indian Affairs;
5 or
- 6 (D) An identification card issued by any branch of
7 the Armed Forces of the United States of
8 America."

9 SECTION 3. Section 291E-66, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) No person whose driving privileges have been
12 restricted to operating a vehicle equipped with an ignition
13 interlock device shall knowingly:

- 14 (1) Request, solicit, direct, or authorize another person
15 to blow into an ignition interlock device or start a
16 vehicle equipped with the device for the purpose of
17 providing an operable vehicle to a person who has been
18 restricted by law to operating only a vehicle so
19 equipped; [~~or~~]
- 20 (2) Tamper with an ignition interlock device with the
21 intent to render it inaccurate or inoperable[~~-~~];



1 (3) Obscure a camera lens associated with an ignition
2 interlock device; or

3 (4) Fail to provide a picture of the driver."

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

6 SECTION 5. This Act shall take effect on January 1, 2050.



Report Title:

Ignition Interlock Device; Operating a Vehicle Under the Influence of an Intoxicant; Penalties; Compliance

Description:

Requires any person operating a vehicle with an ignition interlock device to have government issued identification in their immediate possession. Expands 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. Imposes a fine for persons who operate or assume actual physical control of a motor vehicle while having a blood alcohol content between .05 and 08 grams. Effective 1/1/2050.
(SD1)

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