

Honolulu, Hawaii

FEB 27 2025

RE: S.B. No. 356

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 356 entitled:

"A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require defendants convicted of causing the death or disability of a parent or legal guardian of a minor child by the operation of a vehicle while under the influence of an intoxicant to make restitution in the form of financial support to each child of the victim.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Mothers Against Drunk Driving Hawaii, and three individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the National Highway Traffic Safety Administration estimates that approximately one person in the United States dies every thirty-nine minutes due to a drunk driving crash. Additionally, the Hawaii Alcohol Policy Alliance reported that from 2011 to 2022, at least forty percent of traffic fatalities in the State involved alcohol, outpacing the national



average. Your Committee believes that these statistics alone cannot convey the unsparing grief when a loved one dies, and victims of drunk driving have a right to restitution. This measure will serve as a deterrent to those drivers who would drive under the influence while also shielding families and communities from the financial pain of losing a loved one to the bad choices of an impaired driver.

Your Committee has amended this measure by 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. 356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 356, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:* <i>SB 356</i>	Committee Referral: <i>JDC</i>	Date: <i>2/6/25</i>
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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
RHOADS, Karl (C)	<i>✓</i>			
GABBARD, Mike (VC)				<i>X</i>
CHANG, Stanley				<i>X</i>
SAN BUENAVENTURA, Joy A.	<i>✓</i>			
AWA, Brenton	<i>✓</i>			
<b>TOTAL</b>	<i>3</i>			<i>2</i>

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  


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