STAND. COM. REP. NO. 545-26

Honolulu, Hawaii

FEB 19, 2026

RE: H.B. No. 1708
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Transportation, to which was referred H.B. No. 1708 entitled:

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

begs leave to report as follows:

The purpose of this measure is to upgrade the offense of operating a vehicle under the influence of an intoxicant while a highly intoxicated driver to a class C felony and specify additional probation requirements.

Your Committee received testimony in support of this measure from the Department of Transportation; Oahu Metropolitan Planning Organization; Department of Customer Services for the City and County of Honolulu; Kaua'i Police Department; Office of the Prosecuting Attorney for the County of Hawai'i; and Department of the Prosecuting Attorney for the County of Maui. 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 Judiciary and Department of the Prosecuting Attorney for the City and County of Honolulu.

Your Committee finds that impaired driving remains a serious threat to public safety in Hawaii and a significant number of traffic collisions and fatalities involve drivers who are highly intoxicated. Although existing law provides sentence enhancements

for highly intoxicated drivers, the offense remains a petty misdemeanor, and current penalties may not adequately deter the most dangerous conduct or provide sufficient time for meaningful supervision and treatment. This measure upgrades the offense of operating a vehicle under the influence of an intoxicant while highly intoxicated and establishes enhanced sentencing and probation requirements, thereby strengthening deterrence, promoting rehabilitation, and enhancing public safety on the State's roadways.

Your Committee has amended this measure by:

(1) Clarifying that a first conviction as a highly intoxicated driver shall be a misdemeanor offense, rather than a class C felony, and punishable by either ten days in jail and other statutory provisions or one year probation with no less than five days in jail and other statutory provisions;

(2) Clarifying that a second conviction as a highly intoxicated driver within ten years of a prior conviction shall be a class C felony and punishable by either a five-year prison term or four years probation with no less than thirty days in jail and other statutory provisions;

(3) Inserting language to prohibit a deferred acceptance of guilty plea for persons convicted of operating a vehicle under the influence of an intoxicant;

(4) Changing the effective date to July 1, 3000, to encourage further discussion; and

(5) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1708, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1708, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

Committee on Transportation,

DARIUS KILA, Chair

State of Hawaii
House of Representatives
The Thirty-third Legislature

HSCR 545-26

Record of Votes of the Committee on Transportation

Bill/Resolution No.:	Committee Referral:	Date:
HB 1708	TRN, JHA	2/17/26

☐ 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)

TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. KILA, Darius K. (C)	✓			
2. MIYAKE, Tyson K. (VC)	✓			
3. COCHRAN, Elle				✓
4. EVSLIN, Luke A.	✓			
5. GRANDINETTI, Tina Nakada	✓			
6. KITAGAWA, Lisa	✓			
7. LA CHICA, Trish	✓			
8. MURAOKA, Christopher L.	✓			
9. PIERICK, Elijah				✓
TOTAL (9)	7	0	0	2

The recommendation is: ☑ Adopted ☐ Not Adopted

If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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