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# A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 707-705, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§707-705 Negligent injury in the first degree.** (1) A  
4 person commits the offense of negligent injury in the first  
5 degree if that person causes:

6 (a) Serious bodily injury to another person by the  
7 operation of a vehicle in a negligent manner; or

8 (b) Substantial bodily injury to a vulnerable user by the  
9 operation of a [+]vehicle[+] in a negligent manner[-];  
10 or

11 (c) Substantial bodily injury to another person by the  
12 operation of a vehicle in a negligent manner;

13 (i) While under the influence of alcohol in an amount  
14 sufficient to impair the person's normal mental  
15 faculties or ability to care for the person and  
16 guard against casualty;



- 1           (ii) While under the influence of any drug that
- 2                   impairs the person's ability to operate the
- 3                   vehicle in a careful and prudent manner;
- 4           (iii) With .08 or more grams of alcohol per two hundred
- 5                   ten liters of breath; or
- 6           (iv) With .08 or more grams of alcohol per one hundred
- 7                   milliliters or cubic centimeters of blood.

8           For the purposes of this paragraph:

9           "Alcohol" has the same meaning as defined in section

10           291E-1.

11           "Drug" has the same meaning as defined in section

12           291E-1.

13           "Under the influence" has the same meaning as defined

14           in section 291E-1.

15           (2) Negligent injury in the first degree is a class C

16 felony.

17           (3) A conviction and sentence under subsection (1)(c)

18 shall be in addition to and not in lieu of any conviction and

19 sentence for any offense under this chapter or chapter 291E;

20 provided that the sentence imposed under this section may run



1 concurrently or consecutively with the sentence of the other  
2 offense.

3 (4) Each instance of substantial bodily injury to another  
4 person under subsection (1)(c) shall constitute a separate  
5 offense."

6 SECTION 2. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun before its effective date.

9 SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.



S.B. NO. 2253  
S.D. 1

**Report Title:**

Honolulu Prosecuting Attorney Package; Criminal Offenses;  
Negligent Injury

**Description:**

Amends the offense of negligent injury in the first degree to include injuries negligently inflicted by intoxicated drivers. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

