

STAND. COM. REP. NO.

214

Honolulu, Hawaii

**FEB 09 2026**

RE: S.B. No. 2253  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2253 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the offense of negligent injury in the first degree to include injuries negligently inflicted by intoxicated drivers.

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, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawai'i, Oahu Metropolitan Planning Organization, and one individual.

Your Committee finds that under existing law, substantial injuries negligently caused by an intoxicated driver, including lacerations and bone fractures, are often prosecuted as a misdemeanor. Your Committee further finds that consequently, impaired drivers who negligently injure other road users, including pedestrians, cyclists, and other non-motorized travelers, are not subject to penalties commensurate to the harm they inflict. Accordingly, this measure will authorize felony prosecution of intoxicated drivers who negligently injure another person, thereby providing prosecutors with an important tool to



seek appropriate justice for victims of impaired driving incidents.

Your Committee notes the concern raised by the Department of the Prosecuting Attorney of the County of Maui that clarification is needed to avoid ambiguity as to whether a person is under the influence of alcohol or drugs. Your Committee further notes the concern raised by the Department of the Prosecuting Attorney of the County of Maui that additional clarification is needed to avoid merger and related issues.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that establishes criteria to clarify when a person is considered to be under the influence of alcohol or drugs;
- (2) Inserting language to establish that a conviction and sentence for negligent injury in the first degree inflicted by an intoxicated driver shall be in addition to and not in lieu of any conviction and sentence for any offense the intoxicated driver may be subject to under chapter 291E, Hawaii Revised Statutes, but may be administered concurrently or consecutively with another offense;
- (3) Specifying that each instance of negligent substantial bodily injury to another person inflicted by an intoxicated driver shall constitute a separate offense; and
- (4) 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. 2253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2253, S.D. 1, and be referred to your Committee on Judiciary.



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

  
LORRAINE R. INOUE, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation**  
**TRS**

Bill / Resolution No.:* <b>SB2253</b>	Committee Referral: <b>TRS, JDC</b>	Date: <b>02/03/26</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
KANUHA, Dru Mamo				✓
LEE, Chris	✓			
DECORTE, Samantha	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:             Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

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