

STAND. COM. REP. NO. 1476-26

Honolulu, Hawaii

MAR 30 , 2026

RE: S.B. No. *2392
S.D. 2
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 S.B. No. 2392, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Specify that operating a vehicle under the influence of an intoxicant while a highly intoxicated driver is a misdemeanor for a first offense, or any offense not preceded within a ten-year period;
- (2) Specify and impose additional sentencing and probation requirements for a person convicted of a misdemeanor operating a vehicle under the influence of an intoxicant offense;
- (3) Upgrade the offense of operating a vehicle under the influence of an intoxicant while a highly intoxicated driver to a class C felony under certain conditions;
- (4) Specify and impose additional sentencing and probation requirements for a class C felony offense of operating a

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vehicle under the influence of an intoxicant while a highly intoxicated driver; and

- (5) Prohibit a deferred acceptance of guilty plea for persons convicted of operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of Transportation; Oahu Metropolitan Planning Organization; Hawai'i Police Department; Kaua'i Police Department; Office of the Prosecuting Attorney of the County of Hawai'i; Department of the Prosecuting Attorney of the County of Maui; Department of Customer Services of the City and County of Honolulu; Keiki Injury Prevention Coalition; State of Hawaii Organization of Police Officers; Maui Chamber of Commerce; and two individuals. 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.

Your Committee finds that impaired driving remains a significant threat to public safety, particularly when drivers operate vehicles with extremely high levels of intoxication. While existing law imposes certain penalty enhancements for highly intoxicated drivers convicted of operating a vehicle under the influence of an intoxicant, those enhancements are limited and the underlying offense remains a petty misdemeanor, which may not adequately reflect the seriousness of the conduct. Therefore, this measure strengthens Hawaii's traffic safety laws by increasing penalties for highly intoxicated drivers, establishing misdemeanor and felony classifications under certain circumstances, and prohibiting deferred acceptance of guilty pleas, thereby promoting greater accountability and supporting efforts to reduce impaired driving and protect public safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) 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 S.B. No. 2392, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, S.D. 2, 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,



DARIUS KILA, Chair



