

STAND. COM. REP. NO.

3074

Honolulu, Hawaii

**MAR 06 2026**

RE: S.B. No. 2392  
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2392, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent 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 by a conviction for an offense under sections 291E-4(a) and 291E-61, Hawaii Revised Statutes;
- (2) Specify and impose additional sentencing and probation requirements for a person convicted of a misdemeanor for 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



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 Department of Transportation, Department of Customer Services 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 Hawaii, Hawai'i Police Department, Kaua'i Police Department, Keiki Injury Prevention Coalition, Oahu Metropolitan Planning Organization, Maui Brewing Co., and one individual.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that for nearly a decade, traffic safety advocates across the State have collaborated to promote traffic safety legislation to deter impaired driving, strive for accountability in the criminal justice system, and save lives. Your Committee further finds that many traffic collisions and fatalities involve "highly intoxicated" impaired drivers, and that there is a need to take appropriate action to promote public health and protect public safety. Your Committee also finds that while enhancements exist for individuals convicted of the offense of operating a vehicle under the influence of an intoxicant deemed to be a highly intoxicated driver, these enhancements are limited to additional fines, minimal jail time, and an additional driver's license revocation period, and are not sufficient to address the concerns and deter this hazardous conduct. This measure improves traffic safety and reduces serious injuries and fatalities caused by impaired driving.

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. 2392, S.D. 1, as amended herein, and recommends that it pass  
Third Reading in the form attached hereto as S.B. No. 2392,  
S.D. 2.

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

*Karl Rhoads*

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KARL RHOADS, Chair



