

STAND. COM. REP. NO. 363-06

Honolulu, Hawaii
Feb 15, 2006

RE: H.B. No. 2305
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2305 entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS,"

begs leave to report as follows:

The purpose of this bill is to protect the health and safety of the people of Hawaii by addressing the dangers associated with underage drinking and driving. Among other things, this bill requires the suspension of driving privileges for persons under 21 years of age who illegally purchase or possess liquor as follows:

- (1) Suspension of a driver's license for at least 180 days; and
- (2) Postponement of the eligibility to obtain a driver's license until the person is 18 years of age or for 90 days, whichever period is longer.

This bill also allows discretion in permitting limited driving privileges to individuals with a suspended license for employment or educational purposes.

HB2305 HD1 HSCR TRN HMS 2006-1760



The Office of the Lieutenant Governor, the Attorney General, the Office of Youth Services, the Department of the Prosecuting Attorney of the City and County of Honolulu, the Honolulu Police Department, and MADD-Hawaii Youth in Action testified in support of this bill. MADD-Hawaii supported the intent of this measure. The Office of the Public Defender testified in opposition to this bill.

Driving under the influence of an intoxicant (DUII) has been and continues to be a problem on highways and roadways across the country with an increase in the number of alcohol-related traffic fatalities being experienced in recent years. Intoxicated drivers pose a danger not only to themselves, but also to other motorists and pedestrians.

Unfortunately, underage drinking is extremely prevalent across the nation and in Hawaii. It has been estimated that more youths between the ages of 12 and 20 use alcohol (29 percent) than tobacco (23.3 percent) or illicit drugs (14.9 percent). National statistics show that in 2002, about 2,000,000 minors age 12 to 20 drank five or more drinks on an occasion, five or more times a month. Moreover, alcohol consumption among underage drinkers is not only responsible for death and injury in motor vehicle crashes, but has also been found to be the major cause of other serious incidents involving persons under the age of 21, including homicides, suicides, sexual assaults, and unintentional injuries. Underage drinking in Hawaii cost taxpayers \$182 million in 2001 and continues to have not only monetary, but emotional and physical costs among Hawaii's youth today.

Your Committee finds that a driver's license is the prized possession of teenagers. Knowledge that a conviction for underage possession of alcohol will result in temporary loss of driving privileges is likely to deter many potential underage drinkers from possessing alcohol until they are legally entitled to do so. This measure can save lives by deterring underage drinking and drunk driving.

However, your Committee also notes that providing minors with alcohol education and counseling goes a long way to preventing future alcohol-related incidences. Accordingly, your Committee has amended this measure by:

- (1) Requiring that individuals sentenced under the provisions of this bill shall take part in an 8- to 12-hour program of alcohol education and counseling; and



- (2) Making technical, nonsubstantive amendments for 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. 2305, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2305, H.D. 1, and be referred to the Committee on Judiciary.

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



JOSEPH M. SOUKI, Chair



