

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2639
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2639, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A MOTOR VEHICLE,"

begs leave to report as follows:

The purpose of this bill is to single-out and sanction highly intoxicated drivers (HIDs), whose high blood alcohol level makes HIDs particularly dangerous to themselves, the driving public, and pedestrians by, among other things:

- (1) Imposing a six-month administrative revocation of license and privilege to operate a vehicle and of the registration of any motor vehicle registered to HIDs; and
- (2) Promptly suspending, for one-year, the license and privilege to operate a vehicle by HIDs.

The Department of Transportation, Department of Health, Police Department, and Mothers Against Drunk Driving Hawaii testified in support of this bill. The Public Defender opposed this measure. The Judiciary offered comments.



Your Committee notes that the one-year period of suspension for a HID, unlike the six-month administrative revocation, undermines the effectiveness of the incentive for drivers to take the breath, blood, or urine test because the sanction for failing to take the test is a one-year revocation of license and vehicle registration.

Accordingly, your Committee has amended this bill by:

- (1) Changing the suspension period of a HID's license and privilege to operate a vehicle to six months;
- (2) Changing the effective date to January 1, 2096, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2639, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2639, H.D. 2.

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



SYLVIA LUKE, Chair



