

Honolulu, Hawaii

March 23, 2006

RE: S.B. No. 706
S.D. 2
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 S.B. No. 706, S.D. 2, H.D. 1, 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 17 years of age or for 180 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.



The Office of the Lieutenant Governor, Department of the Attorney General, Department of Health, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, The Century Council, Distilled Spirits Council of the United States, Mothers Against Drunk Driving Hawaii, Youth in Action, Coors Brewing Company, and concerned individuals supported this bill. The Department of Education supported the intent of this measure. The Office of the Public Defender opposed this bill. DIAGEO offered comments.

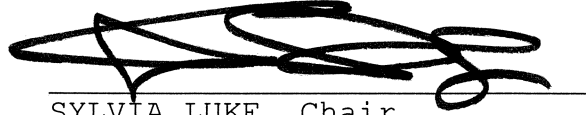
Your Committee has amended this bill by:

- (1) Adding suspension provisions for persons with provisional licenses and instruction permits;
- (2) Authorizing the Family Court to suspend a violator's driver's license, provisional license, instruction permit, or the eligibility to obtain a driver's license, provisional license, or instruction permit;
- (3) Clarifying that individuals who promote liquor to minors are persons who knowingly sell, offer for sale, influence the sale, serve, deliver, or give intoxicating liquor to a person under the age of 21;
- (4) Changing the effective date to January 1, 2006, to encourage further discussion; and
- (5) 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 S.B. No. 706, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 706, S.D. 2, H.D. 2.



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



SYLVIA LUKE, Chair



