

Honolulu, Hawaii

**April 26**, 2006

RE: H.B. No. 2639  
H.D. 2  
S.D. 2  
C.D. 1

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

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2639, H.D. 2, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

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

- (1) Authorizing the arresting law enforcement personnel to take possession of the HID's motor vehicle registration, remove the number plates, and issue a temporary motor vehicle registration and temporary number plates for the motor vehicle;



- (2) Authorizing, under the administrative revocation law:
  - (A) A six-month revocation of the registration of any motor vehicle registered to the HID and of license and privilege to operate a vehicle; and
  - (B) Prohibiting the HID from qualifying for a conditional license permit; and
- (2) For a person convicted of being an HID operating a vehicle while under the influence of an intoxicant, promptly suspending, for a period of six-months, the HID's license and privilege to operate a vehicle.

Your Committee on Conference finds that HIDs are a danger to themselves as well as other drivers and pedestrians on Hawaii's roadways. Enhancing penalties for those persons who drive while highly intoxicated will serve as a deterrent to this type of activity.

Your Committee on Conference has amended this measure by:

- (1) Defining a "highly intoxicated driver" as a person whose measurable amount of alcohol is 0.15 or more grams of alcohol per one hundred milliliters or cubic centimeters of the person's blood, or 0.15 or more grams of alcohol per two hundred ten liters of the person's breath, as measured at the time of the offense, or within three hours of the time of the offense;
- (2) Specifying that the penalties for HIDs under the age of 21 convicted of operating a vehicle after consuming a measurable amount of alcohol shall be the same as the penalties for second violation that occurs within five years of a prior alcohol enforcement contact; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2639, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2639, H.D. 2, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:


ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

  
LORRAINE R. INOUE, Chair

  
COLLEEN HANABUSA, Co-Chair

  
JOSEPH M. SOUKI, Co-Chair

  
SYLVIA LUKE, Co-Chair



