

Honolulu, Hawaii

MAR 24 2006

RE: H.B. No. 3257
H.D. 1
S.D. 1

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

Sir:

Your Committees on Transportation and Government Operations and Intergovernmental Affairs, to which was referred H.B. No. 3257, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS,"

beg leave to report as follows:

The purpose of this measure is to require the police to inform a person arrested for driving under the influence of intoxicants of the sanctions for refusal to submit to breath, blood, or urine test only if person withdraws consent to testing implied by operation of a vehicle on public highway or waters of the State.

Your Committees received testimony in support of this measure from the Department of Transportation; Honolulu Prosecuting Attorney; Honolulu Police Department; and Mothers Against Drunk Driving Hawaii.

Your Committees find that this measure would considerably reduce the amount of time spent by the police in processing persons arrested for operating vehicles while under the influence of an intoxicant. Testimony indicated that police have been hampered for a long time by the amount of paperwork involved in the processing of these persons. Currently, police have to read from three to ten pages of information to an arrested person to inform the person of the person's rights, as, over the years, court decisions have been incorporated into the form which is read



to the person in order to satisfy the court holding. The result has been that police spend more time processing a person than being on the street to apprehend drunk drivers.

Your Committees have amended this measure by:

- (1) Making clarifying amendments on the recommendation of the Honolulu Prosecuting Attorney;
- (2) Changing the effective date to upon approval; and
- (3) Correcting a Ramseyer error.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3257, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3257, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committees on Transportation and Government Operations and Intergovernmental Affairs,



DAVID Y. IGE, Chair



LORRAINE R. INOUE, Chair



The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Transportation and Government Operations
 (Bills and Resolutions)

Measure:* HB 3257	Committee Referral: TGO/16A, JHW	Date: 3/22/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
INOUYE, Lorraine R. (C)				✓
ESPERO, Will (VC)	✓			
BAKER, Rosalyn H.	✓			
HEE, Clayton				✓
KANNO, Brian				✓
MENOR, Ron	✓			
WHALEN, Paul	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.

