

Honolulu, Hawaii

Feb. 13

, 2006

RE: S.B. No. 2268  
S.D. 1

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

Sir:

Your Committee on Transportation and Government Operations,  
to which was referred S.B. No. 2268 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require a one hundred  
eighty-day suspension of a driver's license for a driver under the  
age of twenty-one convicted of illegal possession of liquor.

Specifically this measure:

- (1) Requires judges to suspend the driver's licenses of  
licensed drivers under the age of twenty-one when the  
drivers have been convicted of illegal possession of  
liquor; and
- (2) Provides that if the convicted defendant does not yet  
have a license, the defendant must wait until age  
eighteen to obtain a license, or for ninety days,  
whichever period is longer.

Your Committee received testimony in support of this measure  
from the Lieutenant Governor, Department of Transportation, the  
Attorney General, Office of Youth Services, Honolulu Prosecuting  
Attorney, Honolulu Police Department, Government Employees  
Insurance Company, and Mothers Against Drunk Driving (MADD).  
Testimony in opposition was received from the Public Defender.



This measure addresses the problem of traffic deaths caused by underage drinkers. 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 can legally do so. Driving privileges are a sine qua non of maturity for teenagers.

Alcohol is the number one drug of choice for teens in Hawaii, as well as throughout the nation. Commonly recognized as a gateway drug, alcohol use often leads to illicit drug use. Alcohol use among teens should be of paramount concern to people in all communities, who ultimately bear the burden of the consequences of societal ills resulting from alcohol and drug abuse. These consequences are physical, mental, behavioral, economic, and social.

News stories of the traffic deaths caused by underage drinkers who become involved in traffic accidents while intoxicated are all too common in Hawaii. Youths should be discouraged from consuming alcohol before twenty-one years of age, the minimum age in Hawaii for consumption of alcohol. Young people need to know that there will be consequences for purchasing or possessing alcohol.

According to testimony of MADD, to date thirty-six states and the District of Columbia have enacted a "use and lose" statute similar to this measure.

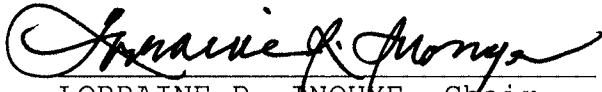
Your Committee has amended this measure by substituting S.B. No. 706, HD1, 2005, a similar measure which includes the following provisions:

- (1) Suspension of license for one hundred eighty days or until age eighteen, whichever period is longer;
- (2) Seventy-five hours of community service work;
- (3) An eight to twelve-hour program of alcohol education and counseling;
- (4) Waiver of proof of financial responsibility; and
- (5) A savings clause.



As affirmed by the record of votes of the members of your Committee on Transportation and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2268, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation and  
Government Operations,

  
LORRAINE R. INOUÉ, Chair



