

Honolulu, Hawaii

Feb 20, 2009

RE: H.B. No. 981
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 981 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this bill is to resolve a number of outstanding issues in the transition to the use of ignition interlock devices by enacting recommendations made by the Ignition Interlock Implementation Task Force (IIITF) pursuant to Act 171, Session Laws of Hawaii 2008.

The Department of Health, Honolulu Police Department, IIITF, and Mothers Against Drunk Driving - Hawaii supported this bill. The Department of Transportation and Department of the Prosecuting Attorney of the City and County of Honolulu supported this measure with amendments. The Hawaii Insurers Council opposed this bill. The Judiciary, Department of the Attorney General, and Office of the Public Defender submitted comments.

Your Committee has amended this bill by, among other things:

- (1) Deleting a provision that made the refusal to submit to a breath, blood, or urine test to determine alcohol levels in the body a petty misdemeanor;
- (2) Removing provisions allowing for an emergency override of an ignition interlock system in emergency situations;



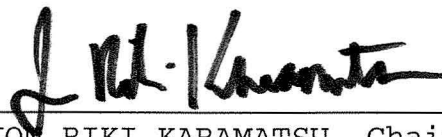
- (3) Ensuring that a person sentenced for driving under the influence will not be able to have the sentence suspended;
- (4) Permitting probationary periods of 18 to 24 months for persons convicted under various conditions for driving under the influence;
- (5) Changing the effective dates to:
 - (A) June 29, 2010, for section 11 of the bill to maintain consistency with effective dates set in Act 171, SLH 2008; and
 - (B) January 1, 2011, for the remaining provisions of the bill;

and

- (6) Making technical, nonsubstantive changes 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. 981, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 981, H.D. 1.

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



JON RIKI KARAMATSU, Chair



