

Honolulu, Hawaii

FEB 13 2009

RE: S.B. No. 716
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 716 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend Act 171, Session Laws of Hawaii (SLH) 2008, relating to the implementation of use of an ignition interlock device, to reflect recommendations of the Hawaii Ignition Interlock Implementation Task Force.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Health, Office of the Public Defender, Honolulu Prosecuting Attorney, Honolulu Police Department, Hawaii Ignition Interlock Implementation Task Force, and MADD. Testimony in opposition was received from the Hawai'i Insurers Council. Comments were received from the Judiciary.

The Hawaii Ignition Interlock Implementation Task Force was created by Act 171, SLH 2008, to make recommendations to the Legislature to implement Act 171. The Task Force was broadly representative of the Legislature, the Judiciary, relevant executive departments of the State and counties, and concerned citizen groups. Recognizing the need to resolve a number of outstanding issues in the transition to use ignition interlock devices, the Legislature delayed the effective date of Act 171 to July 1, 2010.



Your Committee finds that the use of an ignition interlock device prevents drivers previously arrested for driving under the influence of intoxicants from starting or operating a motor vehicle with more than a minimal alcohol concentration while their case is pending or while their license is revoked.

Your Committee notes that numerous steps have been taken by the Legislature over the past twenty-five years to address the toll exacted from our community by those who operate a motor vehicle under the influence of alcohol or drugs, or both. These include providing increased criminal penalties, from larger fines and longer license suspensions and prison terms to forfeiture of the motor vehicle involved in the crime. New criminal offenses have been created, from causing death with a motor vehicle while under the influence of alcohol or drugs to habitually driving under the influence. Administrative license revocation has been enacted to quickly revoke the driver's license while the courts determine what penalties are appropriate. Special attention has been given to repeat offenders, offenders who are highly intoxicated, youthful offenders, and those who drive under the influence with a child in the vehicle. Your Committee believes that using interlock devices to deter intoxicated drivers from driving is a natural extension of these policies.

Your Committee has amended this measure by:

- (1) Extending the sunset date of the ignition interlock implementation task force to June 30, 2011; and
- (2) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 716, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 716, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.



Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,

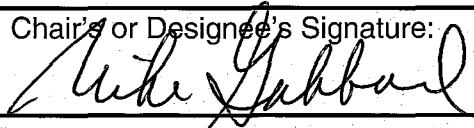
J. Kalani English

J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 716	TIA, JGO	2-4-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes