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**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

March 26, 2010

**TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION**

**SENATE BILL NO. 2897 SD 2 HD 2**

**COMMITTEE ON FINANCE**

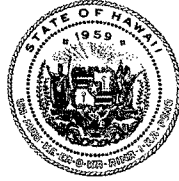
On behalf of the Hawaii Ignition Interlock Implementation Task Force, the Department supports and strongly recommends the passage of Senate Bill 2897 SD 2 HD 2. This measure incorporates the recommendations from the Task Force, which was established by Act 171 of the 2008 Legislative Session. Strong interlock bills are being adopted by more states across the country and it is important to know that Senator Frank Lautenberg has introduced the DDROP Act in Congress. This measure requires all states to adopt mandatory ignition interlock laws for all offenders or be sanctioned by loss of a percentage of their highway construction funds.

Due to the state's existing economic crisis, concessions have been made to the ignition interlock program to prevent any major expenditure of state funds at this time. We see these changes as temporary and look forward to implementing an interlock program as originally envisioned by the Task Force in better economic times.

A strong ignition interlock system will prevent unnecessary alcohol-related crashes and reduce fatalities in the state. The Task Force believes that the provisions in this bill are necessary for the implementation of the ignition interlock program and strongly recommends the passage of SB 2897 SD 2 HD 2.

**WRITTEN  
ONLY**

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
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In reply, please refer to:  
File:

**House Committee on Finance**

**SB 2897 SD-2, HD-2 RELATING TO HIGHWAY SAFETY**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**March 26, 2010**

1 **Department's Position:** The Department of Health supports SB 2897 SD-2, HD-2. Ignition interlocks  
2 are an effective way of increasing the safety of all road users by mechanically preventing convicted  
3 drunk drivers from operating a vehicle with alcohol in their system.

4 **Fiscal Implications:** None

5 **Purpose and Justification:** SB 2897 SD-2, HD-2 addresses the key recommendations that were made  
6 by the Ignition Interlock Task Force, which was established after the legislature passed Act 171 in 2008.  
7 Recommendations from the Ignition Interlock Task Force include creating interlock laws with  
8 mandatory sentencing for all convicted impaired driving offenders, establishing penalties for tampering  
9 and circumvention of interlock devices, and stricter laws and increased enforcement to deter those who  
10 would try to avoid installation.

11 Alcohol related traffic fatalities remain tragically high in Hawaii; in 2008, 43 percent (46 drivers  
12 out of 107) of all drivers involved in traffic fatalities tested positive for alcohol. Among drivers  
13 involved in fatal crashes, those who tested positive for alcohol were at least 3 times (6% vs. 2%) more  
14 likely than other drivers to have had a previous conviction for DUI (Fatal Analysis Reporting System,  
15 National Highway Traffic Safety Administration - NHTSA). There is an annual average of 5,500 DUI

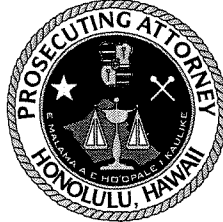
1 arrests in Hawaii. Based on a study conducted in 2005 by the City and County of Honolulu, over one  
2 fourth (28%) of DUI arrestees have been previously arrested for a DUI. NHTSA and the Centers for  
3 Disease Control and Prevention (CDC) conclude, when installed and in use, ignition interlocks are  
4 effective for reducing alcohol related arrests and crashes.

5 Thank you for the opportunity to testify.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
CITY AND COUNTY OF HONOLULU

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**THE HONORABLE MARCUS OSHIRO, CHAIR**  
**HOUSE FINANCE COMMITTEE**  
**Twenty-fifth State Legislature**  
**Regular Session of 2010**  
**State of Hawai'i**

March 26, 2010

**RE: S.B. 2897, S.D. 2, H.D. 2; RELATING TO HIGHWAY SAFETY.**

Chair Oshiro and members of the House Finance Committee, Department of the Prosecuting Attorney submits the following testimony in strong support of S.B. 2897, S.D. 2, H.D. 2.

The purpose of this bill is to fine tune the statutory framework for the imposition of an ignition interlock device upon vehicles owned or driven by person arrested for impaired driving. To this end, the legislature established a task force which was mandated to review this issue and to make recommendations for the implementation of an ignition interlock program. A wide range of stakeholders were included in the task force including our department, which was given the opportunity to participate in and give input to the task force over the last two years. This bill is the product of the work of the task force's effort to flesh out the framework of the ignition interlock program. In particular, this bill eliminates the use of probation for repeated intoxicated drivers and substitutes less intensive supervision by proofs of compliances due to concerns about the cost and availability of probation resources. We hope that when the state's finances improve, the implementation of probation for repeat intoxicated drivers can be addressed.

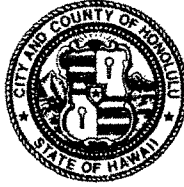
We are in strong support of the use of ignition interlock devices which prevent a person from operating a vehicle when the person has measurable amounts of alcohol in their system. While community education, increased enforcement and stiffer sanctions for impaired driving have made some impact, Hawaii still has an unacceptably high number of alcohol related fatal crashes. We believe that technologies which would prevent people from driving drunk need to be examined and tried in order to reduce traffic fatalities.

Although we did not agree with all the task force recommendations, we do understand that this bill and effort were intended to be the product of consensus whenever possible. Because all the task force stakeholders have different perspectives and because there are resource limitations that affect what is currently possible, we are fully cognizant that compromises were necessary in order to forge an ignition interlock program which was acceptable and workable for all the task force stakeholders. Thus, we do support the passage of S.B. 2897, SD. 2, H.D. 2. However, we hope that certain changes, such as probation for second and third drunk drivers can be implemented when more state resources are available.

We respectfully request your favorable consideration of this bill and thank you for the opportunity to testify.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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DEPUTY CHIEFS

OUR REFERENCE TTN-LC

March 26, 2010

The Honorable Marcus R. Oshiro, Chair  
and Members  
Committee on Finance  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Oshiro and Members:

Subject: Senate Bill No. 2897, S.D. 2, H. D. 2, Relating to Highway Safety

I am Captain Keith Lima of the Traffic Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 2897 S.D. 2, H.D. 2, Relating to Highway Safety as it is the recommendations of the Interlock Implementation Task Force. The task force is composed of numerous stakeholders from our public streets and highways, from the state Department of Transportation, the Department of the Prosecuting Attorney, the Office of the Public Defender, the Hawaii State Judiciary, including administrative revocation, parole, driver's licensing and Mothers Against Drunk Driving.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Keith Lima".

KEITH LIMA, Captain  
Traffic Division

APPROVED:

*for* LOUIS M. KEALOHA  
Chief of Police



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March 26, 2010

To: Representative Marcus R. Oshiro, Chair – House Committee on Finance;  
Representative Marilyn B. Lee, Vice Chair; and members of the committee

From: Arkie Koehl — Chairman, Operations Council, MADD Hawaii

Re: Senate Bill 2897 SD2, HD 2 – Relating to Highway Safety

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I am Arkie Koehl, Chairman of the MADD Hawaii Council, testifying for MADD in strong support of SB 2897, SD2, HD2 – Relating to Highway Safety. This bill updates, amends and provides full statutory detail on the design and implementation of an ignition interlock system for the state of Hawaii, as required of the Ignition Interlock Task Force in Act 171 of the 2008 Legislative session and Act 88 of the 2009 session.

During its 2009 deliberations, the Hawaii Ignition Interlock Task Force was cognizant of the state's difficult financial situation as a result of the country's economic downturn. The Task Force members grappled with difficult decisions related to keeping the Interlock program viable while changing or deleting components which would have engendered costs to the state.

MADD, along with the Ignition Interlock Task Force as a whole, is disappointed that the major change made to the interlock program as a result of the state's budgetary crisis is the forgoing of one of the key enforcement measures — probation for repeat offenders. We share the expectation that future fiscal improvements will restore this important tool.

Additionally, amendments have been made to this Senate measure to indicate the method of assisting indigent drivers which will be based on negotiations between the Director of the Department of Transportation and the interlock companies replying to our "Request for Proposal." The cost of the interlock device installation and periodic servicing will, in most cases, be borne by the offender.

Hawaii is just over 9 months away from initiating a new system that provides more safety to the public by keeping identified impaired drivers from driving after drinking while allowing these individuals to keep driving anywhere at any time - as long as they have an interlock device installed in their vehicles and are below a .02 blood alcohol concentration when they drive.

MADD encourages the passage of this measure to ensure the smooth implementation of Hawaii's Ignition Interlock program on January 1, 2011. Hawaii will be joining an increasing number of states with *strong* interlock statutes to reduce OVUII arrests, crashes, and fatalities.

Thank you for this opportunity to testify.