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THE HONORABLE WILL ESPERO, CHAIR
SENATE PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS
COMMITTEE

THE HONORABLE J. KALANI ENGLISH, CHAIR
SENATE TRANSPORTATION AND INTERNATIONAL AFFAIRS COMMITTEE

Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i

February 1, 2011

RE: S.B. 825; RELATING TO HIGHWAY SAFETY.

Chairs Espero and English, and members of the Senate Committee on Public Safety, Government Operations, and Military Affairs, and Senate Committee on Transportation and International Affairs, the Department of the Prosecuting Attorney submits the following testimony in support of S.B. 825.

Last year, the Ignition Interlock Implementation Task Force lobbied to pass 2010 Hawaii Session Laws 166 or Act 166 that amended Chapter 291E, Hawaii Revised Statutes, which required repeat intoxicated drivers to surrender their motor vehicle registrations and license plates. However, this new requirement conflicted with another mandate that was created in Act 166, which required an individual whose license and privilege to operate a vehicle, and motor vehicle registration if applicable, were administratively revoked, to obtain an ignition interlock permit in order to operate a vehicle during the revocation period if the individual had a valid license at the time of the arrest. Under current law, if a repeat intoxicated driver had his motor vehicle registration and license plate revoked, and he or she had a valid driver license at the time of arrest, he or she cannot participate in the ignition interlock program without violating the vehicle license and registration law that requires one to have a valid vehicle license and registration in order to drive.

Therefore, the purpose of S.B. 825 is to correct this mistake of conflicting laws to allow repeat intoxicated drivers to install ignition interlock devices in any vehicle they operate by eliminating the requirement to surrender motor vehicle registrations and license plates. This bill also extends the expiration date of the Ignition Interlock Implementation Task Force to June 30, 2012 to allow further discussion on this newly created program. Finally, there are housekeeping or technical amendments to Chapter 291E, Hawaii Revised Statutes. For these reasons, we strongly support the passage of S.B. 825. Thank you for this opportunity to testify.

POLICE DEPARTMENT
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OUR REFERENCE TTN-LC

February 1, 2011

The Honorable Will Espero, Chair
and Members
Committee on Public Safety, Government
Operations, and Military Affairs
The Honorable J. Kalani English, Chair
and Members
Committee on Transportation and
International Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Espero and English and Members:

Subject: Senate Bill No. 825, 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. 825, Relating to Highway Safety, as it meets the recommendations of the Interlock Implementation Task Force. The task force is composed of many stakeholders, including the State Department of Transportation, Department of the Prosecuting Attorney, Office of the Public Defender, law enforcement, the Judiciary, Administrative Revocation, parole, driver's licensing, and Mother's Against Drunk Driving.

These amendments to the current law are to address specific areas to clarify the intent of the interlock law. These recommendations were discussed, and it was the consensus of the task force that these recommendations be submitted for legislative action.

Thank you for this opportunity to testify.

Sincerely,


KEITH LIMA, Captain
Traffic Division

APPROVED:



LOUIS M. KEALOHA
Chief of Police