

STAND. COM. REP. NO.

929

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 1435  
H.D. 2  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 1435, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to make amendments to the State's ignition interlock law recommended by the Hawaii Ignition Interlock Implementation Task Force pursuant to Act 171, Session Laws of Hawaii 2008, as amended. This measure, among other things:

- (1) Eliminates the requirement that the arresting officer take possession of the motor vehicle registration and remove the license plate, and issue a temporary motor vehicle registration and temporary number plate for the motor vehicle; and
- (2) Requires the installation of an ignition interlock device in any motor vehicle that the repeat intoxicated driver operates.

Your Committees received testimony in support of this measure from the Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, Mothers Against Drunk Driving HAWAII, Hawaii Ignition Interlock Implementation Task Force, Iron Workers Stabilization Fund, and three

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individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation, Department of Health, and Honolulu Police Department. Your Committee received comments on this measure from the Judiciary and City and County of Honolulu Department of Customer Services.

Act 171, Session Laws of Hawaii 2008, established an Ignition Interlock Program. The purpose of the program is to require drivers whose licenses have been administratively revoked for, or who have been convicted of, operating a vehicle while under the influence of an intoxicant to install an ignition interlock device on their vehicles. The device will prevent these drivers from starting or operating their vehicles when the driver has more than a minimal concentration of alcohol.

Act 171 also established the Hawaii Ignition Interlock Implementation Task Force to study the issues surrounding implementation of the program and to make recommendations to address them. The Hawaii Ignition Interlock Implementation Task Force met numerous times in committees and as a whole, had comprehensive discussions on a multitude of issues relating to the implementation of the Ignition Interlock Program, and made recommendations for statutory amendments necessary to implement the program.

Your Committees have amended this measure by deleting its contents and replacing them with the contents of S.B. No. 825, S.D. 1, which:

- (1) Extends the sunset date of the Hawaii Ignition Interlock Implementation Task Force to June 30, 2012;
- (2) Inserts an effective date of July 1, 2011; and
- (3) Makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

Finally, your Committees have further amended this measure by clarifying that this measure applies retroactively to arrests occurring on or after January 1, 2011.

As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committees are in accord with the

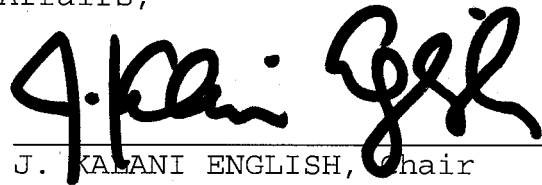


intent and purpose of H.B. No. 1435, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1435, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs,



WILL ESPERO, Chair



J. KALANI ENGLISH, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Transportation and International Affairs**  
**TIA**

Bill / Resolution No.:* <b>HB 1435, HD2</b>	Committee Referral: <b>TIA/PGM, JDL</b>	Date: <b>3/21/11</b>		
<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)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.	✓			
GABBARD, Mike				✓
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Will Espero</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office          Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Government Operations, and**  
**Military Affairs**  
**PGM**

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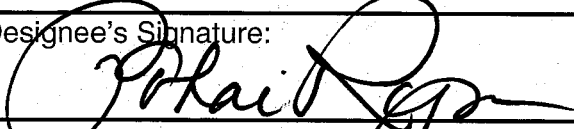
The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)				✓
BAKER, Rosalyn H.	✓			
RYAN, Pohai	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  


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