

STAND. COM. REP. NO. 650-12

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2320
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2320, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to promote safety on Hawaii's roadways by continuing to address some of the unresolved issues of Hawaii's ignition interlock law. Among other things, this measure:

- (1) Allows for renewal of a driver's license that has been revoked for driving under the influence of an intoxicant if certain requirements are met;
- (2) Allows 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;
- (3) Provides eligibility requirements and guidelines for ignition interlock instruction permits and ignition interlock permits; and
- (4) Makes numerous technical and housekeeping amendments to Hawaii's ignition interlock law to address the new provisions contained in (1) through (3) above.

HB2320 HD2 HSCR JUD HMS 2012-2172



The Department of Transportation and Honolulu Police Department supported this measure. One individual supported the intent of this measure. The Office of the Prosecuting Attorney of the County of Hawaii, Mothers Against Drunk Driving HAWAII, and a concerned individual testified in support of this measure with amendments. The Department of the Attorney General, Administrative Driver's License Revocation Office of the Judiciary, and Department of Customer Services of the City and County of Honolulu provided comments on this measure.

Your Committee has amended this measure by:

- (1) Conforming the requirements for the contents of a petition to reinstate eligibility for a license and privilege to operate a motor vehicle without an interlock device to consistently reflect the three-year minimum period required between issuance of the device and petition to remove the device;
- (2) Deleting references to the prosecuting attorney that were rendered obsolete when your Committee on Transportation removed the Department of the Prosecuting Attorney's authority to submit a written request for hearing;
- (3) Changing the effective date to January 7, 2059, to promote further discussion; and
- (4) Making technical, nonsubstantive amendments 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. 2320, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2320, H.D. 2.



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



GILBERT KEITH-AGARAN, Chair



