

SB 578

RELATING TO DRIVING UNDER THE
INFLUENCE OF AN INTOXICANT.

Imposes conditions to ensure that persons
arrested for driving under the influence
of an intoxicant are sober prior
to being released from custody.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Blvd. 4th Floor
Honolulu, Hawaii 96813

TED SAKAI
INTERIM DIRECTOR

MARTHA TORNEY
Deputy Director of
Administration

Deputy Director
Corrections

KEITH KAMITA
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 578
A BILL FOR AN ACT RELATING TO MENTAL HEALTH

By
Ted Sakai, Interim Director
Department of Public Safety

Senate Committee on Transportation and International Affairs
Senator J. Kalani English, Chair
Senator Donovan M. Dela Cruz, Vice Chair

Monday, January 28, 2013, 1:15 PM
State Capitol, Room 224

Chair English, Vice Chair Dela Cruz, and Members of the Committee:

The Department of Public Safety (PSD) supports Senate Bill 578 that proposes to impose conditions to ensure that persons arrested for driving under the influence of an intoxicant are sober prior to being released from custody.

The Department has concerns relating to the language in Senate Bill 578 relating to the requirement that no person shall be released from custody unless the person is no longer under the influence of any drug that impairs the person's ability to operate the vehicle in a careful and prudent manner. The problem will be the ability for law enforcement to test if a person is still under the influence of a drug prior to releasing the individual. Many illicit drugs and pharmaceutical drugs (to include pharmaceutical controlled substances) and stay in your system for days and some for months. It may be more prudent to indicate that no person

who is arrested for a violation of operating a vehicle while under the influence of any drug that impairs the person's ability to operate a vehicle in a careful and prudent manner shall be allowed to drive himself or herself home from the cellblock.

The Department also understands that this may require additional training and alcohol impairment detection equipment for our Deputy Sheriffs manning the airport and Keawe Street booking facilities.

Thank you for the opportunity to testify on this matter.