
A BILL FOR AN ACT

RELATING TO THE OPERATION OF MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that according to data
2 from the National Highway Traffic Safety Administration,
3 alcohol-impaired driving was a factor in forty-four of the one
4 hundred traffic fatalities that occurred in Hawaii in 2011.

5 The use of technology is one possible mechanism for
6 reducing alcohol-related collisions. The State of New Mexico
7 recently released ENDWI (which presumably stands for "End
8 Driving While Intoxicated"), a free smartphone application that
9 allows users to estimate their ability to drive through tests
10 for responsiveness. Further, such software facilitates calls
11 for assistance from friends, family members, and taxi companies
12 for rides home. Moreover, and most importantly, the program
13 allows third parties to report their observations of erratic
14 drivers instantly.

15 The purpose of this Act is to require the department of
16 transportation to develop a similar software application for
17 users in Hawaii.



1 SECTION 2. Chapter 291E, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291E- Software to reduce collisions caused by
5 intoxicated operators. (a) Before July 1, 2015, the director
6 of transportation shall adopt administrative rules in accordance
7 with chapter 91 providing for the creation and maintenance of a
8 mobile telephone software application that shall be designed to
9 be a useful tool in preventing and discouraging intoxicated
10 persons from operating motor vehicles. The software, at a
11 minimum, shall have the capacity to:

- 12 (1) Accurately estimate a user's ability to operate a
13 motor vehicle through the use of tests for mental and
14 physical responsiveness, questions about the types and
15 number of alcoholic beverages that the user has
16 consumed, or other reasonably effective measures;
17 (2) Allow a user, in an effectively instantaneous manner,
18 to be in contact with friends, family members, and
19 taxicab companies for transportation assistance; and
20 (3) Allow a user, in an effectively instantaneous manner,
21 to inform law enforcement about his or her
22 observations of erratic operators of motor vehicles.



1 (b) The software created pursuant to this chapter and its
2 corresponding administrative rules shall not measure any
3 person's blood or breath alcohol concentration, but shall
4 instead give an indication of the extent of the user's impaired
5 ability to operate a motor vehicle.

6 (c) The department of transportation shall submit an
7 annual report to the legislature no later than twenty days prior
8 to the convening of each of the 2016, 2017, 2018, and 2019
9 regular sessions which, at a minimum, shall:

10 (1) State the status of any pending amendments to the
11 administrative rules described in subsection (a);

12 (2) Provide a fair and accurate estimate of the cost of
13 the creation of the software application, if the
14 application has not been created;

15 (3) Provide an analysis of the effectiveness of the
16 software in the prevention of the operation of motor
17 vehicles by intoxicated persons; and

18 (4) Make recommendations for the amendment of this
19 section, if any amendments are warranted.

20 SECTION 3. New statutory material is underscored.

21 SECTION 4. This Act shall take effect upon its approval.

22



INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Paul Ward", written over a horizontal line.

A handwritten signature in black ink, appearing to read "Beth Lukin", written below the first signature.

JAN 22 2013



H.B. NO. 1033

Report Title:

Smartphone Application to Prevent Impaired Driving

Description:

Requires the department of transportation to create rules that will establish the creation and maintenance of smartphone software that will help prevent intoxicated persons from operating motor vehicles, and to facilitate the ability of observers to report erratic operators of motor vehicles.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

