

JAN 23 2014

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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. The Hawaii impaired driving task force,  
2 established by executive order in May 2013, finds that  
3 individuals driving with a revoked or suspended license as a  
4 result of operating a vehicle under the influence of an  
5 intoxicant, continues to be a significant problem for the State.  
6 Drivers who choose to drive illegally rather than installing an  
7 ignition interlock device or finding other methods of  
8 transportation, pose a high public safety risk.

9           The purpose of this Act is to increase minimum imprisonment  
10 time for first-time offenders and second-time offenders, in an  
11 effort to deter individuals from driving with a revoked or  
12 suspended license as a result of operating a vehicle under the  
13 influence of an intoxicant.

14           SECTION 2. Section 291E-62, Hawaii Revised Statutes, is  
15 amended by amending subsection (b) to read as follows:

16           "(b) Any person convicted of violating this section shall  
17 be sentenced as follows without possibility of probation or  
18 suspension of sentence:



- 1           (1) For a first offense, or any offense not preceded  
2           within a five-year period by conviction for an offense  
3           under this section, section 291E-66, or section 291-  
4           4.5 as that section was in effect on December 31,  
5           2001:
- 6           (A) A term of imprisonment of not less than [~~three~~  
7           ten consecutive days but not more than thirty  
8           days;
- 9           (B) A fine of not less than \$250 but not more than  
10           \$1,000;
- 11           (C) Revocation of license and privilege to operate a  
12           vehicle for an additional year; and
- 13           (D) Loss of the privilege to operate a vehicle  
14           equipped with an ignition interlock device, if  
15           applicable;
- 16           (2) For an offense that occurs within five years of a  
17           prior conviction for an offense under this section,  
18           section 291E-66, or section 291-4.5 as that section  
19           was in effect on December 31, 2001:
- 20           (A) [~~Thirty~~] Sixty days imprisonment;
- 21           (B) A \$1,000 fine;



1 (C) Revocation of license and privilege to operate a  
2 vehicle for an additional two years; and

3 (D) Loss of the privilege to operate a vehicle  
4 equipped with an ignition interlock device, if  
5 applicable; and

6 (3) For an offense that occurs within five years of two or  
7 more prior convictions for offenses under this  
8 section, section 291E-66, or section 291-4.5 as that  
9 section was in effect on December 31, 2001, or any  
10 combination thereof:

11 (A) One year imprisonment;

12 (B) A \$2,000 fine;

13 (C) Permanent revocation of the person's license and  
14 privilege to operate a vehicle; and

15 (D) Loss of the privilege to operate a vehicle  
16 equipped with an ignition interlock device, if  
17 applicable."

18 SECTION 3. This Act does not affect rights and duties that  
19 matured, penalties that were incurred, and proceedings that were  
20 begun before its effective date.

21 SECTION 4. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



# S.B. NO. 3051

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Will Lyer

J  
Ronald H. Baker



# S.B. NO. 3051

**Report Title:**

Public Safety; Impaired Driving Task Force; Driving on Suspended or Revoked License

**Description:**

Amends section 291E-62(b)(1) and (2), Hawaii Revised Statutes, by increasing jail time from a minimum of three days to a minimum of ten days for first-time offenders and from thirty to sixty days for first and second-time offenders who violate the provisions of their license suspension or revocation order.

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

