

**Testimony by:**

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DIRECTOR

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IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 30, 2017  
9:50 a.m.  
State Capitol, Room 211

**H.B. 306 H.D. 2, S.D. 1**  
**RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS**

**Senate Committees on Judiciary and Labor & Ways and Means**

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The Department of Transportation (DOT) **supports** the intent of H.B. 306 S.D. 1 relating to continuous alcohol monitoring for repeat offenders. This bill will mandate drivers charged with operating a vehicle while under the influence of an intoxicant within 5 years of a prior conviction or while being investigated to be fitted with a continuous alcohol monitoring device.

The DOT realizes the beneficial purpose this bill provides as it relates to the repeat offender of drivers arrested for operating a vehicle under the influence of an intoxicant (OVUII). The Administrative Driver's License Revocation Office adjudicated 1,071 repeat offenders in 2015. This represented 17 percent of the number arrested for OVUII. These drivers continued to drive and place others at risk on the roadways. In 2015 of the 93 traffic fatality deaths that occurred, 51 of those that died had positive findings for alcohol and/or drugs.

The DOT recognizes that an initiative such as this could reduce the number of fatalities that are alcohol related. However, the DOT has concerns that this bill might discourage the offender from installing the ignition interlock because the offender would have to pay for two devices. A primary objective of the DOT is to ensure drivers are not able to start their cars after they drink. Repeat offenders who may have alcohol dependency issues will not stop drinking. The continuous monitoring device should be combined with a treatment program to change their behavior.

There are many issues that remain unaddressed in this proposed bill. A few of these issues are:

- Who will be the monitoring authority for the program?
- Who will initiate the action to have the bail forfeited?
- Not enough is known about the SCRAM. Is there an installation fee? Is there an equipment rental fee? Is there a special modem that is required and what are the costs? Is there a download fee for each time a download is conducted? How often is the data downloaded?

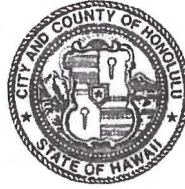
- The definition of continuous monitoring is too restrictive and only allows for one type of monitoring system.

The DOT requests that other technologies be given consideration for the monitoring of repeat offenders instead of limiting the process to a single vendor. The DOT also recommends that this bill be referred to the Impaired Driver Task Force for review and to make amendments and recommendations for the 2018 Legislative session. The DOT supports the intent of HB 306 SD 1, but has concerns to the many unanswered questions in the effort to reduce alcohol-related traffic deaths.

Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE KI-GR

March 30, 2017

The Honorable Gilbert S. C. Keith-Agaran, Chair  
and Members  
Committee on Judiciary and Labor  
The Honorable Jill N. Tokuda, Chair  
and Members  
Committee on Ways and Means  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 211  
Honolulu, Hawaii 96813

Dear Chairs Keith-Agaran and Tokuda and Members:

SUBJECT: House Bill No. 306, H.D. 2, S.D. 1, Relating to Continuous Alcohol Monitoring for Repeat Offenders

I am Kerry Inouye, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

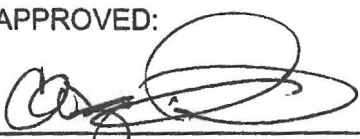
The HPD supports the passage of House Bill No. 306, H.D. 2, S.D. 1, Relating to Continuous Alcohol Monitoring for Repeat Offenders.

The HPD recognizes the danger caused by impaired drivers and the need to address habitual offenders. The use of the continuous alcohol monitoring device may deter these offenders from further jeopardizing the safety of all pedestrians and drivers on our streets.

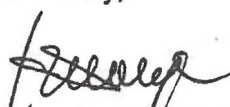
Therefore, the HPD urges you to pass House Bill No. 306, H.D. 2, S.D. 1, Relating to Continuous Alcohol Monitoring for Repeat Offenders, as it is written.

Thank you for the opportunity to testify.

APPROVED:

  
Cary Okimoto  
Acting Chief of Police

Sincerely,

  
Kerry Inouye, Major  
Traffic Division