

SB 659

RELATING TO HIGHWAY SAFETY.

Increases the fines for violations of operating a vehicle while under the influence of an intoxicant.



Testimony by:
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IN REPLY REFER TO:

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

February 8, 2017
2:00PM
State Capitol, Room 225

S.B. NO 659
RELATING TO HIGHWAY SAFETY

Senate Committee on Transportation and Energy

The Department of Transportation (DOT) **strongly supports** S.B. 659 relating to highway safety. This bill will increase the fines associated with the violation of a person operating a vehicle while under the influence of an intoxicant (OVUII).

Alcohol-impaired driving continues to be a problem in Hawaii. During calendar year 2015, of the 93 total fatalities that occurred on Hawaii roads, 33 or 35% were alcohol-impaired fatalities. In that same year, police arrested 6,115 drivers for OVUII. These offenders had continued to operate vehicles after consuming alcohol and thereby placing others on the roadways at risk from being injured or killed. The fateful realization was that these drivers did not consider themselves impaired. Through the enforcement efforts of the police, these drivers were stopped before causing a serious crash that could have resulted in injury or death to themselves or other roadway users.

Many safety advocates continue to instill the safety message of “don’t drink and drive,” to the public. The DOT is supporting the increase in fines to deter drivers from driving after they have been drinking.

The DOT urges you to pass S.B. 659 as increased fines will deter drivers from operating their vehicles after they drink alcohol. Preventing these drivers from driving after consuming alcohol will prevent injuries and deaths from occurring on our roads.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE LORRAINE R. INOUE, CHAIR
SENATE COMMITTEE ON TRANSPORTATION
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i

February 8, 2017

RE: S.B. 659; RELATING TO HIGHWAY SAFETY.

Chair Inouye, Vice-Chair Dela Cruz and members of the Senate Committee on Transportation, the Department of the Prosecuting Attorney of the City & County of Honolulu (“Department”) submits the following testimony in opposition to S.B. 659.

The purpose of S.B. 659 is to increase the fines for operating a vehicle while under the influence of an intoxicant (“OVUII”). The proposed fines would increase: for a first offense, from the current range of \$150 - \$1,000, to a range of \$450 - \$3,000; for a second offense, from the current range of \$500 - \$1,500, to a range of \$1,500 - \$4,500; and for a third (or more) offense, from the current range of \$500 - \$2,500, to a range of \$1,500 - \$7,500.

While we understand there are significant potential dangers and risks associated with this type of behavior, we do not believe that higher fines are necessarily the answer to deterring or educating the public about this. Based on our experience, we anticipate that the proposed increases—three (3) times the current fines for this offense, across the board—would inevitably force more cases to trial, which would add more congestion to the current voluminous caseloads at District Court, and potentially overwhelm the courts and our Department’s resources. When individuals choose to “drink and drive,” we do not believe they consider the potential fines that they would face if they were caught, prosecuted and convicted. Even after conviction, it appears that the mandatory classes, substance abuse assessment and treatment, license revocation (or installation of Ignition Interlock), and ongoing proof of compliance with the court, tend to be more of a problem for most OVUII defendants, rather than any amount of fines.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes the passage of S.B. 659. Thank you for the opportunity to testify on this matter.



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February 8, 2017

To: Senator Lorraine Inouye, Chair, Senate Committee on Transportation and Energy; Vice Chair Donovan Dela Cruz; and members of the Committee

From: Arkie Koehl, Chair, Public Policy Committee, MADD Hawaii

Re: Senate Bill 659 — Relating to Highway Safety

I am Arkie Koehl, offering testimony on behalf of the members of Mothers Against Drunk Driving Hawaii in support of Senate Bill 659, which calls for significant increases in fines for the violent crime of drunk driving.

Hawaii's Impaired Driving Task Force is currently preparing legislation for the 2018 session. It will incorporate six years of valuable experience with ignition interlock, which became law in 2011. We expect significant improvements in the implementation of the interlock program, including the closing of loopholes and other modifications.

In the meantime, however, increasing fines for OVUII can help significantly. MADD and the National Highway Traffic Safety Administration (NHTSA) have long argued that the most effective deterrent to drunk driving is the threat of arrest and punishment. By publicizing sobriety checkpoints and patrols, plus increased fines and other punitive measures, we reach the worst-offending cohort of the potential drunk driving population — those who do not respond to rational and emotional appeals, and who drink and drive simply because they believe they will not get caught and punished.

Senate Bill 659 will help us reach this segment. Please pass it.

Thank you for this opportunity to testify.—

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 3, 2017 3:43 PM
To: TRE Testimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB659 on Feb 8, 2017 14:00PM*

SB659

Submitted on: 2/3/2017

Testimony for TRE on Feb 8, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
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To: TRE Testimony
Cc: victor.ramos@mpd.net
Subject: *Submitted testimony for SB659 on Feb 8, 2017 14:00PM*

SB659

Submitted on: 2/7/2017

Testimony for TRE on Feb 8, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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