



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Ninth Legislature, State of Hawaii
The Senate
Committee on Judiciary

Testimony by
Hawaii Government Employees Association

March 29, 2018

H.B. 2003, H.D. 1 –
RELATING TO DRIVING WHILE INTOXICATED

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of H.B. 2003, H.D. 1 which allows for an employee to request to operate an employer's vehicle during the period of license revocation with the employer's sworn statement of the specified assigned hours of work.

To be clear, our testimony in support of H.B. 2003, H.D. 1 does not condone nor excuse driving while intoxicated under any circumstances. Rather, H.B. 2003, H.D. 1 amends existing statutes contained in Sections 291E-44.5 and 291E-61, Hawaii Revised Statutes to modify the documentation requirements for requests for permits by allowing an employer's sworn statement to include the period of assigned hours of work that the employee will drive for employment purposes.

Thank you for the opportunity to provide testimony on H.B. 2003, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director

HB-2003-HD-1

Submitted on: 3/28/2018 4:14:18 AM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Brian T. Taniguchi, Chair; the Honorable Karl Rhoads, Vice-Chair, and Members of the Committee on Judiciary:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for this opportunity to provide written testimony on **HB2003 HD1** relating to Administrative Revocation; Driving While Intoxicated; Permit; and an Employer's Sworn Statement.

The OCC Legislative Priorities Committee is in favor of **HB2003 HD1** and support its passage.

HB2003 HD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it allows requests for permits that authorize the respondent or defendant to operate an employer's vehicle during the period of license revocation to be supported by the employer's sworn statement attesting to the period of the specified assigned hours of work that the defendant will drive the vehicle for purposes of employment.

The DPH Platform states that "We support restorative justice that repairs the harm caused by criminal behaviors and reintegrates the offenders as contributing members of society. Likewise we support opportunities for those who have been incarcerated to effect a smooth transition back into the community and make available health, educational, and other assistance programs needed to allow them to become productive and respected members of the community." (Platform of the DPH, P. 5, Lines 273-277 (2016)).

Given that **HB2003 HD1** allows requests for permits that authorize the respondent or defendant to operate an employer's vehicle during the period of license revocation to be supported by the employer's sworn statement attesting to the period of the specified assigned hours of work that the defendant will drive the vehicle for

purposes of employment, it is the position of the OCC on Legislative Priorities to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC on Legislative Priorities

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IN REPLY REFER TO:

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March 29, 2018
9:30 AM
State Capitol, Room 016



H.B. 2003, H.D.1
RELATING TO DRIVING WHILE INTOXICATED

Senate Committee on Judiciary

The Department of Transportation (DOT) **supports** H.B. 2003, H.D.1 relating to driving while intoxicated. This bill amends the documentation requirements for requests for permits that authorize a person whose license was judicially revoked (for the offense of operating a vehicle under the influence of an intoxicant) to operate an employer's vehicle as a mandatory part of work during the period of license revocation. Specifically, this measure allows an employer's sworn statement to include either the hours of the day, not to exceed twelve hours per day, or the period of the specified assigned hours of work, the respondent will drive the vehicle or vehicles for purposes of employment...

To be able to drive a vehicle for work without an ignition interlock is a privilege and should not be abused under the employee driver permit (EDP).

The DOT recommends passage of H.B. 2003, H.D.1 as it clarifies the conditions under which a defendant or respondent may drive a work vehicle to maintain their employment. It further recommends that the effective date of this legislation be upon approval.

Thank you for the opportunity to provide testimony.



HAWAII FIRE FIGHTERS ASSOCIATION

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**THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION 2018**

LATE

March 29, 2018

Committee on Judiciary

Testimony by

Hawaii Fire Fighters Association, Local 1463, IAFF, ALF-CIO

H.B. No. 2003 HD 1 RELATING TO DRIVING WHILE INTOXICATED

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO represents more than 1,900 professional active-duty and 800 retired fire fighters throughout the State of Hawaii. On behalf of our members, HFFA **supports H.B. No. 2003 HD 1**, which allows permits that authorizes the defendant to operate an employer's vehicle during the period of license revocation to be supported by the employer's sworn statement attesting to the period of the specified assigned hours of work.

H.B. No. 2003 HD 1 recognizes that not all occupations have work shift periods that are less than or equal to the twelve hours contained in Subsections (d) and (e) of Section 291E-44.5 and Subsections (e) and (f) of Section 291E-61 61 of the Hawaii Revised Statutes and instead, opts to acknowledge that a work shift period may be longer than twelve hours via its proposed amendment of the inclusion language – "or the period of the specified assigned hours of work." This bill will allow an employee whose assigned hours of work exceeds twelve hours, under certain conditions, to remain on the job during the administrative license revocation process.

HFFA does not in any way condone driving while intoxicated and this bill does not affect other remaining provisions of the current administrative revocation process. The intent of this bill is simply to acknowledge that an assigned work shift period may be longer than twelve hours; its goal is to return employees to work when the other conditions of the process are met.

HFFA appreciates your Committee's favorable consideration of this measure and thank you for the opportunity to testify.