

# SB 367

RELATING TO HIGHWAY SAFETY.

Increases the fines for violations associated with a person operating a vehicle after the person's license and privilege has been suspended or revoked for operating a vehicle under the influence of an intoxicant.



**Testimony by:**  
FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

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. 367**  
**RELATING TO HIGHWAY SAFETY**

Senate Committee on Transportation and Energy

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The Department of Transportation (DOT) **strongly supports** S.B. 367 relating to highway safety. This bill will increase the fines associated with the violation of a person operating a vehicle after their license and privilege has been suspended or revoked for operating a vehicle 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 the same year, police arrested 6,115 drivers for OVUII. Of those arrested 1,071 were repeat offenders. Many of these offenders did not have an ignition interlock installed and were detected driving while their license was suspended or revoked for previous OVUII convictions. Police have also issued numerous citations to drivers stopped for traffic violations and found to have had their license suspended or revoked for OVUII. These offenders continue to operate vehicles while their license are suspended revoked because there are no real consequences for their actions. Each time they operate a vehicle, they place other roadway users as well as themselves at risk from being injured or killed.

The DOT urges you to pass S.B. 367 as increased fines will deter these violators from operating a vehicle while their license is suspended or revoked for OVUII and provide a safer roadway for other drivers.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO  
PROSECUTING ATTORNEY

CHRISTOPHER D.W. YOUNG  
FIRST DEPUTY PROSECUTING ATTORNEY



**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. 367; 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. 367.

The purpose of S.B. 367 is to increase the fines for operating a vehicle after the person’s license and privilege has been suspended or revoked for operating a vehicle under the influence of an intoxicant. The proposed fines would increase from \$250 to a range of \$750 to \$3,000, for a first offense; from \$1,000 to \$3,000 for a second offense; and from \$2,000 to \$6,000 for a third (or more) offense.

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—generally three times the current fines for this offense—would force a lot 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.

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. 367. Thank you for the opportunity to testify on this matter.



TO: Committee on Transportation and Energy  
Senator Lorraine R. Inouye, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

**SUBJECT: Support SB 367 Relating to Highway Safety**

Aloha Chair Inouye, and members of the Committee on Transportation and Energy, my name is Kari Benes and I chair the Hawaii Strategic Highway Safety Plan Steering and Core Committees.

“Increase penalties for driving while license revoked/ suspended due to operating a vehicle under the influence of an intoxicant” is a strategy outlined in the Strategic Highway Safety Plan aimed at deterring repeat impaired driving infractions. If enacted, SB 367 would provide progress in that area and would provide greater incentive for individuals already convicted of an OVUII to choose the legal and safe option of catching a cab or designating a driver.

The entire Strategic Highway Safety Plan, its progress, and vision, mission and goals are available for download and view at [www.hawaiishsp.com](http://www.hawaiishsp.com).

Thank you.

Strategic Highway Safety Plan Mission

*Save lives and reduce injuries on Hawaii's roadways through strategic partnerships and implementation of the SHSP.*



Mothers Against Drunk Driving HAWAII  
745 Fort Street, Suite 303  
Honolulu, HI 96813  
Phone (808) 532-6232  
Fax (808) 532-600  
hi.state@madd.org

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 367 — 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 367, which calls for significant increases in fines for driving without a license which was revoked for OVUII.

The National Highway Traffic Safety Administration (NHTSA) estimates that between 50 and 75 percent of drivers whose licenses have been revoked for DUI continue to drive anyway. We see no reason why this estimate would differ for Hawaii. Such offenders obviously constitute a particularly high safety risk to our residents and visitors.

The threat of larger fines should help deter this illegal practice. It should be mentioned that NHTSA and MADD also recognize that vehicle sanctions, such as impoundment, are also effective deterrents, and the Committee may wish to consider this additional sanction at some point in the future.

We urge passage of SB 367.

Thank you for this opportunity to testify.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 3, 2017 3:42 PM  
**To:** TRE Testimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB367 on Feb 8, 2017 14:00PM\*

**SB367**

Submitted on: 2/3/2017

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 4, 2017 12:53 PM  
**To:** TRE Testimony  
**Cc:** jamesjtz@aol.com  
**Subject:** \*Submitted testimony for SB367 on Feb 8, 2017 14:00PM\*

**SB367**

Submitted on: 2/4/2017

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Gauer	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 7, 2017 3:16 PM  
**To:** TRE Testimony  
**Cc:** victor.ramos@mpd.net  
**Subject:** \*Submitted testimony for SB367 on Feb 8, 2017 14:00PM\*

**SB367**

Submitted on: 2/7/2017

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Support	No

Comments:

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