

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 703  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 703, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit any person convicted of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant from purchasing or publicly consuming alcohol during a probationary period; and
- (2) Amend the threshold for habitually operating a vehicle under the influence of an intoxicant.

Your Committees received testimony in support of this measure from the Honolulu Police Department. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from Mothers Against Drunk Driving Hawaii.

Your Committees find that impaired driving continues to be one of the biggest contributing factors to traffic fatalities in



the State. Your Committees further find that according to the 2017 Highway Safety Annual Report, in 2016 of the 120 traffic fatalities that occurred in the State, 59.2 percent were caused by someone driving under the influence of alcohol or drugs, which is an increase from 54.8 percent in 2015. Most recently, three individuals lost their lives due to a driver under the influence of an intoxicant. Your Committees believe that more effort needs to be made in order to ensure the safety of all residents and visitors of the State.

Your Committees have amended this measure by:

- (1) Clarifying that the examiner of drivers is required to adopt rules restricting the use of a driver's license issued to a person prohibited from purchasing or publicly consuming alcohol during the probation period invoked pursuant to section 291E-61 or 291E-61.5, Hawaii Revised Statutes;
- (2) Clarifying that the court shall determine when the probation period shall expire;
- (3) Allowing an individual to operate or assume physical control of any vehicle with only an ignition interlock permit in their immediate possession, rather than requiring an ignition interlock permit and a valid state identification card, as suggested by the Honolulu Police Department; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 703, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 703, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Public Safety,  
Intergovernmental, and Military  
Affairs,

*Clarence K. Nishihara*

CLARENCE K. NISHIHARA, Chair

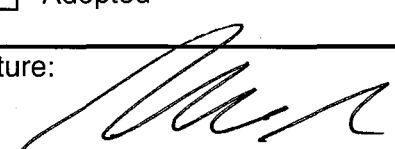
*Lorraine R. Inouye*

LORRAINE R. INOUE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

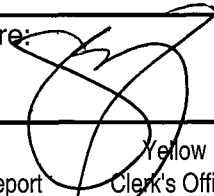
**Record of Votes**  
**Committee on Transportation**  
**TRS**

|   |   |                                       |                     |         |
|---|---|---------------------------------------|---------------------|---------|
| Bill / Resolution No.:*   | Committee Referral:   | Date:                                 |                     |         |
| HB703, HDI  | TRS/PSM, JOC/WAM  | 3/18/19                               |                     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____ |   |                                       |                     |         |
| The Recommendation is:  |   |                                       |                     |         |
| <input type="checkbox"/> Pass, unamended<br>2312  | <input checked="" type="checkbox"/> Pass, with amendments<br>2311 | <input type="checkbox"/> Hold<br>2310 |                     |         |
| <input type="checkbox"/> Recommit<br>2313   |   |                                       |                     |         |
| Members   | Aye   | Aye (WR)                              | Nay                 | Excused |
| INOUE, Lorraine R. (C)  | /   |                                       |                     |         |
| HARIMOTO, Breene (VC)   |   |                                       |                     | /       |
| ENGLISH, J. Kalani  |   |                                       |                     | /       |
| SHIMABUKURO, Maile S.L.   | /   |                                       |                     |         |
| FEVELLA, Kurt   | /   |                                       |                     |         |
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| <b>TOTAL</b>  | 3   |                                       |                     | 2       |
| Recommendation:   |   |                                       |                     |         |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |   |                                       |                     |         |
| Chair's or Designee's Signature:  |   |                                       |                     |         |
|   |   |                                       |                     |         |
| Distribution:   |   |                                       |                     |         |
| Original  | Yellow  | Pink                                  | Goldenrod           |         |
| File with Committee Report  | Clerk's Office  | Drafting Agency                       | Committee File Copy |         |

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

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|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:*<br><b>HB 703, HD1</b>  | Committee Referral:<br><b>TRS/PSM, JDC/WAM</b> | Date:<br><b>3/18/19</b> |          |          |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                         |          |          |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                         |          |          |
| Members  | Aye  | Aye (WR)                | Nay      | Excused  |
| NISHIHARA, Clarence K. (C)   | ✓  |                         |          |          |
| WAKAI, Glenn (VC)  | ✓  |                         |          |          |
| BAKER, Rosalyn H.  | ✓  |                         |          |          |
| HARIMOTO, Breene   |  |                         |          | ✓        |
| FEVELLA, Kurt  | ✓  |                         |          |          |
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| <b>TOTAL</b>   | <b>4</b>                                       | <b>0</b>                | <b>0</b> | <b>1</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                         |          |          |
| Chair's or Designee's Signature:    |  |                         |          |          |
| Distribution:            Original    Yellow    Pink    Goldenrod<br>File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy   |  |                         |          |          |

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