

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 703  
H.D. 1  
S.D. 2

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 703, H.D. 1, S.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 for a probation period to be determined by the court, following a sentencing or administrative licensing revocation;
- (2) Amend the sentencing requirements for operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant offenses; and
- (3) Amend the threshold for habitually operating a vehicle under the influence of an intoxicant offenses.

Your Committees received testimony in support of this measure from the Hawaii Chapter of Mothers Against Drunk Driving and two



individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that operating a vehicle under the influence of an intoxicant is a serious offense that contributed to over fifty percent of traffic fatalities in 2015 and 2016. Your Committees further find that restrictions such as ignition interlock devices are effective at preventing intoxicated driving by those persons subject to the restrictions. This measure establishes additional restrictions to prohibit persons convicted of operating or habitually operating a vehicle under the influence of an intoxicant from purchasing or publicly consuming alcohol and strengthens state laws prohibiting driving while intoxicated.

Your Committees note the testimony of the Hawaii Chapter of Mothers Against Drunk Driving which points out that ignition interlock devices have prevented approximately 100,000 attempts to start a vehicle by persons who have been drinking alcohol. However, a large majority of the drivers who have been convicted of driving under the influence do not install ignition interlock devices, leaving the public at great risk of drunk drivers. Exempting drivers who elect to install ignition interlock devices on their vehicles from the prohibition from purchasing or publicly consuming alcohol may work to increase the overall use of ignition interlock devices, which will help prevent the number of persons driving under the influence and make Hawaii's roads safer for everyone.

Your Committees have amended this measure by:

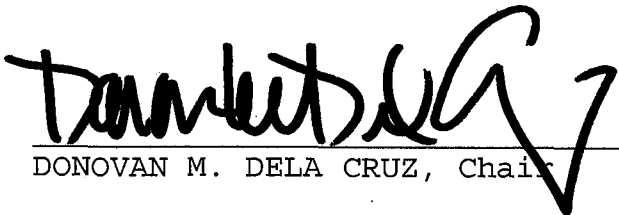
- (1) Including "restricted persons" within the good faith provision of the liquor licensing laws;
- (2) Not requiring a person whose license has been suspended or revoked for driving under the influence to become a restricted person if the person obtains and installs an ignition interlock or similar system;
- (3) Requiring the President of the Senate and the Speaker of the House of Representatives to convene a task force to review existing laws relating to driving under the influence of an intoxicant; 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 703, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 703, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair


  
KARL RHOADS, Chair





The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB703 HDI SDI	TRSPSM, JDC/WAM	4/3/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	10			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes