

Honolulu, Hawaii

APR 05

, 2019

RE: S.B. No. 641
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 641, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICANTS,"

begs leave to report as follows:

The purpose of this measure is to amend Hawaii's laws regarding the use of intoxicants while operating a vehicle by:

- (1) Adding a definition of "substance abuse";
- (2) Expanding the definition of "drug" to include any substance that, when taken into the human body, can impair the ability of a person to operate a vehicle safely; and
- (3) Expanding the definition of "substance" to include any plant, medication, poison, natural or synthetic chemical, or any compound, or combination of these.

The Department of Transportation, Councilmember representing District 9 of the City and County of Honolulu, County of Hawai'i Office of the Prosecuting Attorney, County of Kaua'i Office of the Prosecuting Attorney, Honolulu Police Department, Hawaii Strategic Highway Safety Plan, Hawaii Chapter of Mothers Against Drunk Driving, AAA Hawaii, Highway Bicycling League, and an individual



testified in support of this measure. The Office of the Public Defender and The Drug Policy Forum of Hawai'i testified in opposition to this measure.

Your Committee has amended this measure by establishing a separate offense of operating a vehicle while impaired by a lesser intoxicant, other than alcohol or controlled substances, instead of inserting a definition of "substance abuse" and amending the definitions of "drug" and "substance." Your Committee has further amended this measure by:

- (1) Amending its preamble;
- (2) Requiring law enforcement and the Criminal Justice Data Center to collect, make public, and report on certain data relating to the offense of operating a vehicle while impaired by a lesser intoxicant;
- (3) Inserting a sunset date of June 30, 2022; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 641, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 641, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



