

STAND. COM. REP. NO. 805

Honolulu, Hawaii

FEB 28 2019

RE: S.B. No. 641

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

Sir:

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

"A BILL FOR AN ACT RELATING TO INTOXICANTS,"

begs leave to report as follows:

The purpose and intent of this measure is to add the definition of "substance abuse" and amend the definitions of "drug" and "substance" for purposes of violations due to operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Mothers against Drunk Driving Hawaii, Hawaii Strategic Highway Safety Plan, AAA Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Drug Policy Forum of Hawai'i.

Your Committee finds that the existing definition of a drug under the use of intoxicants while operating a vehicle statute does not encompass many substances that are being abused by individuals, thereby limiting law enforcement and prosecutors from keeping roads safe from impaired drivers. Your Committee further finds that there are many substances that can impair a driver but are not listed as a controlled substance under the Uniformed Controlled Substance Act, allowing those abusing those substances to drive on the State's roads while impaired. This measure would



provide clarity with respect to how substance abuse and drugs are defined in law, ensuring the safety of residents and visitors of the State.

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 and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



