

STAND. COM. REP. NO. 1608

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 334
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 334, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a state drug and alcohol toxicology testing laboratory special fund, to be administered by the Department of Health;
- (2) Deposit into the special fund fines imposed on offenders convicted of certain offenses involving operation of a vehicle under the influence of an intoxicant; and
- (3) Require expenditure reports to the Legislature.

Your Committees received testimony in support of this measure from the Department of Health, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui; Office of the Prosecuting Attorney of the County of Kaua'i, Honolulu Police Department, Hawai'i Police Department, Maui Police Department, Hawai'i Chapter of Mothers Against Drunk Driving, and



Hawai'i Strategic Highway Safety Plan. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that highway safety in Hawai'i is compromised by intoxicated drivers who continue to jeopardize the safety of all road users. Although the police continue their efforts to make the roads safer by arresting those individuals suspected of driving while impaired, prosecuting these cases can be hampered when test results are not available in time for the respective hearings and also by expensive court costs. Your Committees further find that presently, the testing of blood and urine samples obtained for the purpose of prosecuting cases involving the operation of a motor vehicle under the influence of an intoxicant is largely performed by private out-of-state laboratories, which takes a considerable amount of time to complete, and can lead to test results not being timely provided for trial resulting in a case dismissal. This measure establishes a special fund to sustain a drug and alcohol laboratory in the State.


Your Committees have amended this measure by:

- (1) Changing its effective date to May 6, 2137; and
- (2) 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. 334, 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. 334, 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
Thirty-First Legislature
State of Hawai'i


Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 334 , HD1 , SD1	HTH , JDC / WAM	4/6/2021		
<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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado		✓		
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	6	1	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
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
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 334, HD 1, SD 1</i>	<i>HTH, JDC/WAM</i>	<i>4/6/21</i>		
<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			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.				X
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	<i>10</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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