

STAND. COM. REP. NO.

1716

Honolulu, Hawaii

APR 08 , 2021

RE: S.B. No. 153
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 153, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law;
- (2) Require the Director of Transportation to contract with the selected ignition interlock vendor to provide at no cost for the installation and periodic calibration charges to certain offenders who apply for assistance; and
- (3) Require a person who does not own or have the use of a vehicle in which the person can install an ignition interlock device during the revocation period or is otherwise unable to drive during the revocation period

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to be absolutely prohibited from driving during a period of time equal to twice that of the applicable revocation period.

Your Committee received testimony in support of this measure from Casanova Powell Consulting, AAA Hawaii, Smart Start LLC, Mothers Against Drunk Driving Hawaii, The Foundation for Advancing Alcohol Responsibility, Traffic Injury Research Foundation, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation and Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that ignition interlock devices play a direct role in preventing an individual from being a repeat offender of driving while under the influence of an intoxicant. Your Committee believes that these devices are effective at keeping roads safe and ensuring that offenders have complied with ignition interlock devices laws. This measure will protect the public from repeat offenders who put themselves and others at risk when they decide to drive under the influence of an intoxicant by expanding on the existing ignition interlock device law.

Your Committee has amended this measure by:

- (1) Amending the eligibility for a driver's license upon providing proof of compliance with the ignition interlock law to apply to persons who have installed an ignition interlock device in any vehicle operated by the person, instead of all vehicles that the person owns or drives;
- (2) Deleting language that would have required the Director of Transportation to contract with the selected ignition interlock vendor to provide at no cost for the installation and periodic calibration charges to certain offenders who apply for assistance;
- (3) Amending the period of time that a person who does not own or have the use of a vehicle in which the person can install an ignition interlock device during the revocation period or is otherwise unable to drive during



the revocation period is absolutely prohibited from driving to a period of two years; and

- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 153, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 153, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

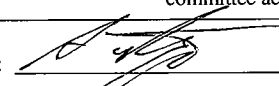
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 153, SD2		Committee Referral: JHA		Date: 4-6-21	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. NAKASHIMA, Mark M. (C)	✓				
2. MATAYOSHI, Scot Z. (VC)	✓				
3. ICHIYAMA, Linda	✓				
4. KOBAYASHI, Dale T.	✓				
5. LoPRESTI, Matthew S.	✓				
6. LOWEN, Nicole E.	✓				
7. McKELVEY, Angus L.K.	✓				
8. NAKAMURA, Nadine K.	✓				
9. TAKUMI, Roy M.	✓				
10. TODD, Chris	✓				
11. TOKIOKA, James Kunane	✓				
12. WARD, Gene	✓				
TOTAL (12)	12	0	0	0	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)					
Vice Chair's or designee's signature: 					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					