

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the House Committee on
Judiciary & Hawaiian Affairs**

March 16, 2021

S.B. No. 765 SD2: RELATING TO OPERATING A VEHICLE UNDER THE
INFLUENCE OF AN INTOXICANT

Chair Nakashima, Vice Chair Matayoshi and Members of the Committee:

The Office of the Public Defender opposes S.B. No. 765 SD2. Specifically, we oppose the increase in the license revocation periods for operating a vehicle under the influence of an intoxicant (“OVUII”) as well as the new sentencing guidelines for “highly intoxicated operators.”

License revocation period

This measure also seeks to increase the license revocation period. Increasing the revocation period is simply unnecessary. Lengthening the revocation period will only exacerbate the problem of unlicensed drivers paying more fines. And in the case of those charged with violating HRS §291E-62, these individuals will be serving jail time *not* for driving while intoxicated but for simply driving without a valid license.

This measure, as well as other ignition interlock laws and license revocation laws (in particular, HRS § 291E-62), simply target and punish former OVUII offenders who are unable to afford an ignition interlock device and/or obtain a valid drivers’ license. *Those who were cited or arrested for these offenses, with a few exceptions, were not driving while under the influence of an intoxicant.* They were not even suspected of OVUII. They were simply driving. Rather than punish the non-intoxicated drivers who could not afford the ignition interlock devices and were unable to obtain a license after revocation, the legislature, if it genuinely seeks to be tough on intoxicated drivers, should simply mandate non-monetary sentences (i.e., community service work or substance abuse rehabilitation). *OVUII should not be a crime that the wealthy can pay their way out of while the indigent are stuck in a never-ending cycle of license revocation and mandated jail sentences.*

“Highly intoxicated operators”

The creation of the category of “highly intoxicated operators” and the sentencing guidelines are unnecessary restrictions on the discretion of the district court judges. These judges are able to and often do consider an individual’s blood alcohol content (“BAC”) when making sentencing decisions. In addition to examining at the facts of a case (e.g., BAC, an individual’s driving, whether an accident occurred, endangering passengers in the vehicle), judges look at factors such as criminal history, driving record, and community involvement. Indeed, judge are in the best position to impose fair and just sentences to defendants, and this bill would only hamper that ability.

Moreover, establishing a Class B offense of “Habitually operating a vheicle under the influence of an intoxicant” felony for an “highly intoxicated operator” is unduly harsh. Rather, the legislature should consider imposing the mandatory term of eighteen months imprisonment for “highly intoxicated operators.” Increasing the maximum prison term will only continue to exacerbate the Hawai‘i prison overcrowding problem. Our jails and prisons are filled above not only design capacity but also operational capacity. A significant portion of the State’s prison population are incarcerated in a contracted private, for-profit prison in Arizona; they are exiled thousands of miles away from their families, friends, and crucial support networks. According to a recent studies by the Prison Policy Initiative, in 2018, Hawai‘i had an incarceration rate of 487 per 100,000 people.¹ Although Hawai‘i ranked 37th among the 50 states, if every state was an independent nation, Hawai‘i would have the 43rd highest incarceration rate in the world.² Only three foreign countries have a higher incarceration rate than Hawai‘i.³ Thus, Hawai‘i locks up a higher percentage of its people than many wealthy democracies do.⁴ With the recent nationwide review of criminal justice policies, it is concerning that the trend in the State of Hawai‘i is to increase penalties.

Thank you for the opportunity to comment on this measure.

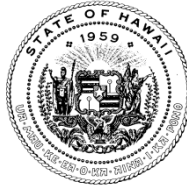
¹ Prison Policy Initiative, “Hawaii profile.” See <https://www.prisonpolicy.org/profiles/HI.html>

² Prison Policy Initiative, “States of Incarceration: The Global Context.” See <https://www.prisonpolicy.org/global/2018.html>

³ Id.

⁴ Prison Policy Initiative, “Hawaii profile.” See <https://www.prisonpolicy.org/profiles/HI.html>

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 16, 2021
2:00 P.M.
State Capitol, Teleconference

S.B. 765, S.D. 2
RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN
INTOXICANT

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation (DOT) **supports** S.B. 765, S.D. 2 relating to operating a vehicle under the influence of an intoxicant. This bill defines “highly intoxicated drivers” and enhances the penalties.

The proposed S.B. 765, S.D. 2 evolved out of concern for the increasing number of traffic fatalities involving alcohol and drugs in Hawaii. This bill was a collaborative effort from the DOT’s Hawaii Drug and Alcohol Intoxicated Driving Working Group (DAID) which is comprised of county police and prosecutors, Mothers Against Drunk Driving, Hawaii State Department of Health, Hawaii Association of Criminal Defense Lawyers and the Office of the Public Defender.

A “highly intoxicated driver” is someone who has been arrested and convicted and poses a substantial risk to themselves and others on our roadway. The DAID’s concern is that these drivers are a higher risk to other roadway users and will eventually become involved in a fatal motor vehicle collision.

During the past five years (2016-2020), police arrested an average of 5,405 drivers for Operating a Vehicle Under the Influence of an Intoxicant per year. Of those tested, an average of 1,485 had blood alcohol concentration results of 0.150 and higher. This represents an average of 36% of those arrested and had taken a breath or blood test. Existing legislation needs to be strengthened to address these individuals as they pose a greater risk of a fatal crash happening.

The DOT and the DAID working group urges the committee to pass this important bill as it will enhance the penalties against those drivers who continue to drink and drive. Reducing the amount of impaired driving related fatalities and injuries will help Hawaii reach our Vision Zero goal.

Thank you for the opportunity to provide testimony.

Justin F. Kollar
Prosecuting Attorney



Rebecca Vogt Like
Second Deputy

Jennifer S. Winn
First Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

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Victim/Witness Program 808-241-1898 or 800-668-5734

**THE HONORABLE MARK M. NAKASHIMA, CHAIR
THE HONORABLE SCOT Z. MATAYOSHI, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
THIRTY-FIRST STATE LEGISLATURE**

Regular Session of 2021
State of Hawai'i

March 16, 2021

**RE: SB 765, S.D. 2, RELATING TO OPERATING A VEHICLE UNDER THE
INFLUENCE OF AN INTOXICANT**

Chair Nakashima, Vice Chair Matayoshi, and Members of the House Committee on Judiciary & Hawaiian Affairs:

The Office of the Prosecuting Attorney, County of Kaua'i SUPPORTS SB 765, establishing higher penalties for operating a vehicle with a Blood Alcohol Concentration ("BAC") of 0.15 or higher.

The Bill establishes and defines a class of intoxicated drivers as "Highly Intoxicated Drivers" in Section 291E-1 and 291E-61 as a driver with 0.15 grams of alcohol per 210 liters of breath or grams of alcohol per one hundred milliliters or cubic centimeters of blood and provides increased penalties for those offenders. With this revision the statute will provide for more severe consequences for elevated levels of unsafe conduct.

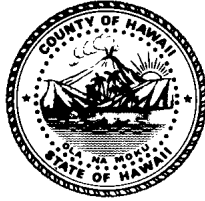
This amendment reflects the nearly unanimous consensus among the United States that elevated levels of intoxication among drivers multiplies the danger to other drivers, pedestrians, and the community at large. Currently, 44 states, The District of Columbia, and Guam have increased penalties for drivers convicted at higher BACs. According to the Foundation for Advancing Alcohol Responsibility 90% of Alcohol-Impaired Driving Fatalities in Hawaii involve high BAC drivers (greater than 0.15 BAC). This Bill can truly save lives.

Accordingly, the Office of the Prosecuting Attorney, County of Kaua'i, requests that this measure be PASSED.

Thank you very much for the opportunity to testify.

An Equal Opportunity Employer

Mitchell D. Roth
Mayor



Paul K. Ferreira
Police Chief

Kenneth Bugado, Jr.
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

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(808) 935-3311 • Fax (808) 961-8865

March 15, 2021

Representative Mark M. Nakashima
Chairperson and Committee Members
Committee on Judiciary & Hawaiian Affairs
415 South Beretania Street
Honolulu, Hawai`i 96813

RE : SENATE BILL 765, SD2, RELATING TO OPERATING A VEHICLE UNDER THE
INFLUENCE OF AN INTOXICANT
HEARING DATE : MARCH 16, 2021
TIME : 2:00 P.M.

Dear Representative Nakashima:

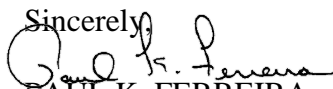
The Hawai`i Police Department **supports** Senate Bill 765, SD2, with its purpose to define a “highly intoxicated driver” and increase penalties for offenders.

The Hawai`i Police Department encourages the committee to adopt the proposed changes to Senate Bill 765 to amend Hawai`i Revised Statutes (HRS) 291E-1 and 291E-61 which will establish and define a “highly intoxicated driver” as a driver with 0.15 grams of alcohol per 210 liters of breath or grams of alcohol per one hundred milliliters or cubic centimeters of blood and provides increased penalties for those offenders.

In 2020, the annual average of all operated for driving under the influence was .144% Blood Alcohol Content (BAC), which is nearly twice the legal limit. 40% of those arrested in 2020 had BAC levels in excess of .150% BAC. The National Highway Traffic Safety Administration (NHTSA) states that drivers with a BAC of .150 or greater is nearly 20 times more likely to be involved in a fatal crash.

Passing this bill will hold offenders accountable and help deter dangerous behaviors of drinking and driving.

It is for these reasons, we urge this committee to approve this legislation. Thank you for allowing the Hawai`i Police Department to provide comments relating to Senate Bill 765, SD2.

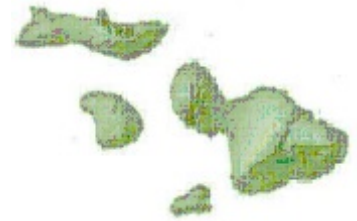
Sincerely,

PAUL K. FERREIRA
POLICE CHIEF

MICHAEL P. VICTORINO
M ayor

ANDREW H. MARTIN
Prose cuting Attorney

MICHAEL S. KAGAMI
First Deputy Prosecuting Attorney

ROBERT D. RIVERA
Second Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAI'I 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY
ON
S.B. 765 SD2 RELATING TO
OPERATING A VEHICLE UNDER
THE INFLUENCE OF AN INTOXICANT

March 15, 2021

The Honorable Mark M. Nakashima
Chair
The Honorable Scot Z. Matayoshi
Vice Chair
and Members of the Committee on Judiciary & Hawaiian Affairs

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments concerning S.B. 765 SD2, Relating to Operating a Vehicle Under the Influence of an Intoxicant. We would like to express our support for S.B. 765 SD2.

Notably, this bill defines “highly intoxicated driver” and establishes appropriate penalties for highly intoxicated drivers who are convicted of Operating a Vehicle Under the Influence of an Intoxicant. These penalties include longer license revocation periods and mandatory minimum jail terms. In our view, these penalties would have a stronger deterrent effect on both intoxicated and highly intoxicated drivers, which in turn would reduce the amount of intoxicated drivers on our roadways and ultimately save lives.

For these reasons, the Department of the Prosecuting Attorney, County of Maui supports S.B. 765 SD2. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

Thank you very much for the opportunity to provide testimony on this bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thirty-first State Legislature
Regular Session of 2021
State of Hawai`i

March 16, 2021

**RE: S.B. 765, S.D. 2; RELATING TO OPERATING A VEHICLE UNDER THE
INFLUENCE OF AN INTOXICANT.**

Chair Nakashima, Vice Chair Matayoshi, and members of the House Committee on Judiciary & Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in support of S.B. 765, S.D. 2, with suggested amendments.

The purpose of S.B. 765, S.D. 2, is to establish heightened penalties (and a definition) for operating a vehicle under the influence of an intoxicant ("OVUII") offenders who operate a vehicle while "highly intoxicated"; increase and align all license revocation periods and lookback periods; and require a longer substance abuse program for repeat OVUII offenders—as current law requires a substance abuse program only for first-time offenders, none for repeat offenders.

From April 2019 through December 2019, the Department was part of a highly dedicated working group—coordinated and facilitated by the Department of Transportation, Highway Safety Division—which convened nearly every two weeks for five months, and spent numerous working hours outside of that, for a singular purpose: to produce proposed legislation that would significantly strengthen Hawaii's OVUII laws. We believe the working group was able to accomplish this, and S.B. 765, S.D. 2, is consistent with the bills that were jointly created by that working group. The Department greatly appreciates the bill's goal of strengthening Hawaii's OVUII laws, in a concerted efforts to keep our communities safe from intoxicated drivers.

We do note that a key component was removed from the original language of this bill, such that under the S.D. 2 version, offenders would not be required to install Ignition Interlock devices in one or more vehicles registered to them (previously found in S.B. 765, S.D. 1, at page 6, lines 5-6; page 7, lines 19-20; page 8, lines 7-8 and 17-18; page 9, lines 16-17; and page 21, line 15). When the working group discussed potential weaknesses in the current OVUII enforcement statutes, it was

noted that—based on statistics provided by the current Ignition Interlock vendor—Ignition Interlock is typically only installed by about 20% of all offenders, at any given time. We strongly believe that Ignition Interlock devices are an important and effective tool for decreasing the incidence of OVUII on Hawaii’s roads, and generally an effective means of ensuring that whomever is driving that vehicle (with Ignition Interlock installed) is not OVUII.

If every OVUII offender who has a registered vehicle were required to install an Ignition Interlock device, for the duration of the license revocation, that would significantly increase the number of vehicles with these devices, and thus ensure greater safety when offenders are operating those vehicles. Thus, we recommend that the requirement for offenders to install Ignition Interlock in at least one vehicle registered to them, be added back into the bill. If there is concern that Ignition Interlock devices are too expensive for some vehicle owners, even with the discounted rates offered to indigent individuals, the Department encourages the Committee to consider establishing an Ignition Interlock “indigent fund.” This could possibly be done by requiring every offender (who can afford it) to pay a small fee, which would then be used to support those few offenders who have registered vehicles, but are unable to afford an Ignition Interlock device.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of S.B. 765, S.D. 2, with the suggested amendments. Thank you for the opportunity to testify on this matter.



LATE *Testimony submitted late may not be considered by the Committee for decision making purposes*



POLICE DEPARTMENT

COUNTY OF MAUI

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MAYOR

OUR REFERENCE

YOUR REFERENCE

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TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

March 15, 2021

The Honorable Mark K. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice Chair
Committee on Judiciary & Hawaiian Affairs
Thirty-First Legislature 2021
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

**RE: SENATE BILL 765 RELATING TO OPERATING A VEHICLE UNDER THE
INFLUENCE OF AN INTOXICANT**

Dear Chair Nishihara and Committee Members:

The Maui Police Department strongly SUPPORTS the passage of SB 765, SD2.

This act will define "highly intoxicated drivers" and increase the penalties for offenders. Previously there was a law similar to this but was replaced with the ignition interlock. Bringing this statute back will hold offenders accountable and help deter such dangerous behavior.

Accordingly, the Maui Police Department requests SB 765, SD2 be PASSED.

Thank you for the opportunity to testify.

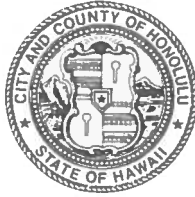
Sincerely,


TIVOLI S. FAAUMU
Chief of Police

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

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MAYOR



SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE CT-LC

March 16, 2021

The Honorable Mark M. Nakashima, Chair
and Members
Committee on Judiciary
and Hawaiian Affairs
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

SUBJECT: Senate Bill No. 765, S.D. 2, Relating to Operating a Vehicle Under the Influence of an Intoxicant

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports this bill as it defines a "highly intoxicated driver" and also establishes the penalties for a respondent who is a highly intoxicated driver. Increases of related penalties could be a deterrent for would-be violators. Any measure that could potentially keep impaired drivers off of our roads should be considered or implemented.

The HPD strongly urges you to support Senate Bill No. 765, S.D. 2, Relating to Operating a Vehicle Under the Influence of an Intoxicant.

Thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Sincerely,

Handwritten signature of Calvin Tong in black ink.

Calvin Tong, Major
Traffic Division



Mothers Against Drunk Driving HAWAII
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Fax (808) 532-6004
hi.state@madd.org

March 16, 2021

To: Representative Mark M. Nakashima, Chair, House Committee on Judiciary & Hawaiian Affairs;
Representative Scot Z. Matayoshi, Vice Chair; and members of the Committee

From: Arkie Koehl and Carol McNamee, Public Policy Committee - MADD Hawaii

Re: Senate Bill 765, SD2 – Relating to Operating a Vehicle Under the Influence of an Intoxicant

I am Carol McNamee testifying on behalf of MADD Hawaii in **strong support** of Senate Bill 765,SD2, relating to Operating a Vehicle Under the Influence of an Intoxicant.

MADD supports the concept of increasing penalties for individuals who are arrested and found to be driving with a BAC of .15 or higher. These individuals fall into the category of “high risk drivers” who, along with repeat offenders and drivers who refuse to be tested, pose an increased danger to other highway users: vehicle drivers and passengers, bicyclists and pedestrians. Research has clearly shown that the higher a driver’s BAC, the greater risk he or she is to others on the road. Hawaii statutes reflected increased penalties for these high-risk drivers before 2011 when the highly intoxicated driver section was removed for reasons unrelated to its effectiveness. This bill establishes administrative and criminal revocation periods for the high BAC driver – from 18 months for a first offender up to 6 years for drivers who have two or more prior alcohol or drug enforcement contacts.

MADD also supports other changes that have been proposed in this bill, including increasing the “look back” period which defines who is a repeat offender and therefore how long a revocation period will be imposed on the person arrested.

Another change adds a mandatory interlock requirement for Habitual Offenders and a number of other suggested sanctions for the repeat “habitual” offender.

This is an important measure for strengthening Hawaii’s OVUII statutes by (1) removing the most dangerous drivers from the road; and (2) raising the deterrent value of the statutes by increasing the penalties for this group of drivers. MADD encourages the House Judiciary and Hawaiian Affairs committee to pass SB 765, SD2 to strengthen Hawaii’s OVUII statutes and keep dangerous drivers off our roads.

Thank you for this opportunity to testify.

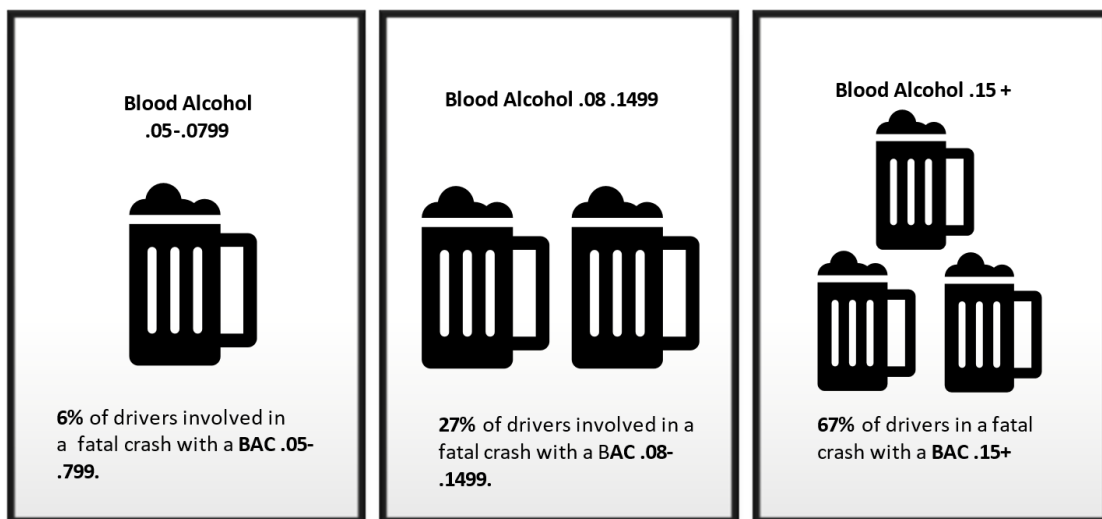


Subject: **Support** SB765 SD2

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the House Committee on Judiciary and Hawaiian Affairs,

My name is Kari Benes, and I am the Chair of the Hawaii Strategic Highway Safety Plan (SHSP) Core Committee. The SHSP Core Committee is committed to supporting system changes within the impaired driving statutes that enhance the ability to detect, deter, and mitigate the complexities around impaired driving. SB765 SD2 addresses a group of drivers that are disproportionately represented in our fatal crashes.

Highly intoxicated drivers endanger themselves as well as other road users and especially more vulnerable road users such as pedestrians and bicyclists. In Hawaii, over the course of 5 years, 109 drivers involved in fatal crashes had a blood alcohol content (BAC) of .05 or greater. The graphic below demonstrates how majority of drivers involved in fatal crashes involving alcohol had a BAC of **.15 or greater (2x the legal limit)**.



1

¹ N=109 drivers involved in a fatal crash in **Hawaii** with a reported BAC level of .05 and greater. *Note of the drivers who tested with a positive BAC of .01 to .079 67% were also positive for one or more drugs. FARS 2014-2018*



SB765 SD2 aligns with SHSP's life-saving priorities in the updated 2019-2024 plan.

The Hawaii Strategic Highway Safety Plan's vision is that all of Hawaii's road users arrive safely at their destinations. You can help us achieve our goal of reducing yearly fatalities by supporting this measure.

To view the Strategic Highway Safety Plan, please visit <https://hidot.hawaii.gov/highways/shsp/>

Strategic Highway Safety Plan Mission

Save lives and reduce injuries on Hawaii's roadways through strategic partnerships and implementation of the Strategic Highway Safety Plan.

March 16, 2021

Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair
Members of the Committee on Judiciary & Hawaiian Affairs

RE: **SB765 SD2 Relating to Operating a Vehicle Under the Influence of an Intoxicant. – SUPPORT**

AAA Hawaii **supports** SB765 SD2. This bill helps advance AAA's efforts in reducing collisions from impaired driving by (1) establishing a standard for "highly intoxicated driver" as someone operating a vehicle with a Blood Alcohol Content (BAC) of 0.15 or higher, (2) extending the look-back period from five to ten years for impaired driving offenses; and (3) ensuring ignition interlock devices are installed on all vehicles operated by the offender.

While all states consider 0.08 BAC to be impaired, federal data clearly shows most impaired driving fatalities involve drivers with 0.15 BAC or higher. In 2018, for instance, 67 percent of the 10,511 alcohol impaired fatalities nationwide involved drivers who would have fallen under the SB765 SD2 "highly intoxicated driver" definition. (NHTSA, 2019)

Almost all states now have higher penalties for highly impaired drivers, recognizing the substantial difference in vehicle control between a driver with a 0.08 versus 0.15 BAC or higher. As of 2016, Hawaii was only one of four states without a standard for high BAC levels despite national data that demonstrates the deadly and disproportionate impact of this group on traffic safety. (NCSL, 2016)

SB765 SD2 also extends the lookback period for driving under the influence of an intoxicant from five to ten years. AAA Hawaii strongly supports extended lookback periods to enable prosecutors, judges, and licensing authorities to identify DUI recidivists who qualify for mandatory enhanced penalties and driver license sanctions upon subsequent conviction. Reducing recidivism among impaired drivers must remain a high priority given about 25 percent of all DUI arrests each year in this country are estimated to be repeat offenders. (Coleman, 2014)

1130 N. Nimitz Highway, Suite A170, Honolulu, HI 96817

Auto Club Enterprises provides service to more than 14 million members



AAA Hawaii was founded in 1915 in Honolulu and is a leader in motorist services and a strong advocate for traffic safety. With more than 170,000 members in Hawaii and 60 million nationwide, service to and the safety of our members, other motorists, and all road users is our founding and continuing purpose. This is especially true in Hawaii where the percentage of alcohol impaired driving fatalities ranked among US states as the fourth highest in 2018. (NHTSA, 2019) We believe SB765 SD2 broadly addresses critical needs in the state's impaired driving policies, which is why we are joining law enforcement and many public health organizations in support of this bill. We encourage you to do the same and support SB765 SD2.

Sincerely,

Liane Sumida

Liane Sumida
General Manager

References

- Coleman, N. W.-K. (2014). *DWI Recidivism in the United States*. National Highway Traffic Safety Administration.
- NCSL. (2016, Nov. 11). *Increased Penalties for High Blood Alcohol Content*. Retrieved from National Conference of State Legislatures.
- NHTSA. (2019, Dec.). *Traffic Safety Facts*. DC: National Highway Traffic Safety Administration.

SB-765-SD-2

Submitted on: 3/16/2021 12:26:21 PM

Testimony for JHA on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Taniguchi	Hawaii Bicycling League	Support	No

Comments:

The Hawaii Bicycling League strongly supports SB765SD2 to drastically increase the penalties for those convicted of being highly intoxicated or habitually intoxicated while driving a motor vehicle.

The purpose of SB765 is to serve as a deterrent to those who would continue to drive after drinking by punishing those who disregard the lives of innocent users of the road.

The streets belong to us all for safe use. Those who commit traffic violence on others should not be on the streets driving. They can walk, bicycle, take transit, or be driven by others.

This is one way to reach Vision Zero, our state law, to eliminate all serious injuries and deaths on our roads.

Imagine Safe Streets.

SB-765-SD-2

Submitted on: 3/13/2021 2:08:52 PM

Testimony for JHA on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Keawe	Individual	Support	No

Comments:

I support sb765 sd2