

STAND. COM. REP. NO. 782-22

Honolulu, Hawaii

MAR 03, 2022

RE: H.B. No. 2337
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2337 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose of this measure is to clarify the definitions of "drug", "substance", and "substance abuse" for purposes of operating a vehicle under the influence of an intoxicant violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that under existing law, the prosecution must prove beyond a reasonable doubt that a person was under the influence of a controlled substance under the Uniform Controlled Substances Act, or its metabolites, in order to convict a person of operating a vehicle under the influence of an intoxicant. However, there are several drugs that can cause serious impairment that are not scheduled or controlled substances, including kava, certain muscle relaxants, and synthetic drugs such as "spice" and "bath salts". This measure clarifies the definitions used for violations of operating a vehicle under the influence of an intoxicant to include substances that, when taken into the human

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body, can impair the ability of a person to operate a vehicle safely.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, to encourage further discussion; and
- (2) 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 H.B. No. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, 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



