

Honolulu, Hawaii

APR 06 2022

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2337, H.D. 1, entitled:

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

begs leave to report as follows:

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

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Mothers Against Drunk Driving Hawaii, and AAA Hawai'i. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the current definition of "drug" in chapter 291E, Hawaii Revised Statutes, is defined as any controlled substance listed in schedules I through IV in chapter 329, Hawaii Revised Statutes. This definition limits law enforcement and prosecutors from keeping roads safe from impaired drivers because many substances that are being abused are not listed as schedules I through IV drugs, such as kava, kratom, toluene, certain muscle relaxants, and over-the-counter cough syrup. These substances all have the capability to impair



drivers, despite not being listed as schedules I through IV in chapter 329, Hawaii Revised Statutes. This measure will protect the public from impaired drivers by clarifying the definitions of "drug", "substance", and "substance abuse" for the purposes of operating a vehicle under the influence of an intoxicant violations.

Your Committee has amended this measure by making it effective upon its approval.

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 H.B. No. 2337, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 2337, HDI	Committee Referral: JDC	Date: 04-06-22		
<input checked="" type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: <u>Pass, unamended</u>				
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
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
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 Judiciary
JDC

Bill / Resolution No.:* HB 2337, HD1	Committee Referral: JDC	Date: 03-18-22
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 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	7	-	-	-

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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