STAND. COM. REP. NO.



Honolulu, Hawaii

FEB 2 3 2022

RE: S.B. No. 2163

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 S.B. No. 2163 entitled:

"A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE,"

begs leave to report as follows:

The purpose and intent of this measure is to elevate the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the County of Maui, Hawai'i Police Department, Honolulu Police Department, Maui Police Department, Mothers Against Drunk Driving Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that drivers who operate a vehicle with a suspended or revoked license show a pattern of poor decision making, leading to hazardous behavior. Providing a twenty year look back into an individual's driving record allows agencies to determine if a driver has already been convicted for operating a vehicle under the influence of an intoxicant. This information will help show a pattern of disregarding the orders of the court, which are intended to protect the community.

Your Committee further finds that any driver who operates a vehicle as a "highly intoxicated driver" poses a serious danger to anyone on or near a roadway. Most fatal crashes in the State involve drivers impaired by intoxicating substances. For example, the County of Hawaii had twenty-six people who were killed in fatal crashes, twenty-one of them involved an impaired driver, with many of the most tragic crashes involving drivers who were highly intoxicated at that time. This measure will deter would-be offenders from driving impaired by elevating the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

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 S.B. No. 2163 and recommends that it pass Second Reading 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.:* SB 2163	Committee Referral:			Date: 02-18-22	
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		<b>/</b>			
KEOHOKALOLE, Jarrett (VC)		<b>\</b>			
ACASIO, Laura		/			
GABBARD, Mike		<b>✓</b>			
KIM, Donna Mercado					
LEE, Chris		<b>✓</b>			
FEVELLA, Kurt			<b>✓</b>		
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TOTAL		6	1	_	_
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature: Kal Mhood					
<b>Distribution:</b> Original File with Committee Re		ellow 's Office [	Pink Goldenrod Drafting Agency Committee File Copy		

\*Only one measure per Record of Votes