

STAND. COM. REP. NO.

2720

Honolulu, Hawaii

FEB 23 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



