

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 3165  
S.D. 1

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

Sir:

Your Committees on Transportation and Public Safety,  
Intergovernmental, and Military Affairs, to which was referred  
S.B. No. 3165 entitled:

"A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE  
INFLUENCE OF AN INTOXICANT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Lengthen the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant who do not install an ignition interlock device; and
- (2) Allows early termination of driver's license revocation after nine months upon showing three consecutive months of ignition interlock use without any violations.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawai'i Police Department, Hawaii Bicycling League, Mothers Against Drunk Driving Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Office of the Public Defender. Your Committees received comments on this measure from Smart Start LLC.



Your Committees find that an ignition interlock device serves to both keep Hawaii's streets safer and evidence responsibility in those who have been convicted of the dangerous act of driving under the influence of an intoxicant. This measure increases the initial time of license revocation for first time offenders but also allows early termination of the revocation of licenses for those who show consistent use of an ignition interlock device.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

Your Committees have heard the testimony of the Office of the Public Defender expressing concerns that the early termination of the driver's license revocation as allowed by this measure may create inequities among defendants. Your Committees find that this issue raises concerns that merit further consideration and request that your Committee on Judiciary examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3165, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Public Safety,  
Intergovernmental, and Military  
Affairs,

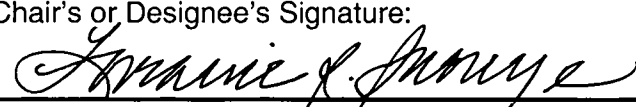
  
CLARENCE K. NISHIHARA, Chair

  
CHRIS LEE, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Transportation**  
**TRS**

Bill / Resolution No.:* <i>SB 3165</i>	Committee Referral: <i>TRS/PSM, JDC</i>	Date: <i>2-15-2022</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
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
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
DECOITE, Lynn	✓			
SHIMABUKURO, Maile S.L.				✓
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

