

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3165  
S.D. 2

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. 3165, S.D. 1, entitled:

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

begs 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) Allow early termination of driver's license revocation after nine months upon showing three consecutive months of ignition interlock use without any violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Smart Start LLC, and Mothers Against Drunk Driving HAWAII. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Judiciary.



Your Committee finds that an increasing number of traffic fatalities involve alcohol and drugs. Your Committee further finds that an ignition interlock device is an effective tool to physically separate drinking alcohol from driving and thereby enhance public safety. This measure will help strengthen the State's ignition interlock laws which is critically important to help save lives and keep the roads safe.

Your Committee has amended this measure by:

- (1) Incorporating recommendations proposed by the Judiciary as follows:
  - (A) Specifying that a person may file for a motion for early termination if the person includes with their motion a certified court abstract establishing that they were not sentenced to any additional mandatory revocation period; and
  - (B) Specifying that a person may file a motion for early termination if the person includes with their motion a certified statement from the Director of Transportation establishing that they actually installed and maintained an ignition interlock device in one or more vehicles for a continuous period of six months and after the six-month period, they maintained the ignition interlock device in one or more vehicles for a continuous period of three months without violation;
- (2) Incorporating a recommendation proposed by the Department of Transportation to insert a definition for "violation"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 3165, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3165, S.D. 2.



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

*Karl Rhoads*

---

KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3165, SDI	TPS / RSM, JDC	03 - 03 - 22		
<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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura		✓		
GABBARD, Mike	✓			
KIM, Donna Mercado		✓		
LEE, Chris	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	4	2	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Paul Rhoads</i>				
<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