

STAND. COM. REP. NO.

659

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 754

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 754 entitled:

"A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE WHILE INTOXICATED,"

begs leave to report as follows:

The purpose and intent of this measure is to lower the blood alcohol concentration (BAC) threshold from .08 to .05 for the offense of operating a vehicle while under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawai'i Police Department, Maui County Council, Maui Police Department, National Safety Council, Mothers Against Drunk Driving HAWAII, Hawai'i Alcohol Policy Alliance, and eight individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Beverage Institute, Hawaiian Craft Brewers Guild, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that alcohol-impaired driving has been a factor in approximately twenty percent of all traffic fatalities and critical collisions on Oahu roadways and thirty-one percent of all traffic fatalities and critical collisions on Hawaii County roadways. According to the National Transportation Safety Board, the risk of being in a fatal collision is at least seven times



higher for drivers with a BAC between .05 and .09 than for drivers with no alcohol in their system. Additionally, twenty years of international studies have shown that when a country lowers BAC limits from .08 to .05, alcohol-related fatal and injury crashes decrease between five and ten percent. To date, approximately one hundred other countries, including most of Europe and Australia, have adopted laws prohibiting operation of a motor vehicle with a BAC of .05 or higher. This measure will align Hawai'i with the growing number of jurisdictions worldwide that recognize that driving with a BAC of .05 is a significant danger to the community.

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. 754 and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



