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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 28, 2023
11:30 A.M.
State Capitol, Teleconference

H.B. 1113 H.D. 1
RELATING TO THE DRUG AND ALCOHOL TOXICOLOGY TESTING LABORATORY

House Committee on Finance

The Department of Transportation (DOT) **supports** H.B. 1113 H.D. 1. This measure authorizes moneys in the state highway fund to be expended to maintain the drug and alcohol toxicology testing laboratory; authorizes moneys in the drug and alcohol toxicology testing laboratory special fund to be administered and expended by DOT or appropriated as a grant-in-aid to the City and County of Honolulu Emergency Services Department (CCHESD) to support the laboratory; appropriates funds for the laboratory; and requires reports to the legislature.

There is an immediate need for in-state blood alcohol testing for all counties, which the CCHESD is able to provide if the agency has funding to expand its lab and resources. In addition, CCHESD may be able to conduct drug testing for impaired driving cases in the future if funding is available to support the establishment and maintenance of the laboratory.

This bill is needed to appropriate funds from the state highway fund to the special fund; provide legislative authority for DOT to administer and expend the special fund; and appropriate funds as a grant-in-aid to CCHESD to support statewide blood alcohol testing, as well as establish and maintain a drug and alcohol testing laboratory.

The DOT is primarily concerned about improving highway safety and protecting the lives of our community members and visitors. Having a drug and alcohol toxicology testing laboratory within our State will provide law enforcement and adjudicators with the resources they need to protect our public from impaired drivers.

The DOT urges your support of H.B. 1113 H.D.1.

Thank you for the opportunity to provide testimony.

Mitchell D. Roth
Mayor



Benjamin T. Moszkowicz
Police Chief

County of Hawai'i

POLICE DEPARTMENT

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February 27, 2023

Representative Kyle T. Yamashita
Chairperson and Committee Members
Committee on Finance
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: HOUSE BILL 1113, HD1, RELATING TO THE DRUG AND ALCOHOL TOXICOLOGY
TESTING LABORATORY
HEARING DATE: FEBRUARY 28, 2023
TIME: 11:00 A.M.

Dear Representative Yamashita:


The Hawai'i Police Department **supports** House Bill 1113, HD1, with its purposes to amend section 248-9 of the Hawaii Revised Statutes, to specify that money in the state highway fund may be expended for the cost of establishing and maintaining a drug and alcohol toxicology testing laboratory. It also amends section 291E-8 of the Hawai'i Revised Statutes, to specify moneys in the state drug and alcohol toxicology testing laboratory special fund shall be administered by the department of transportation or appropriated as a grant in aid to the department of health and/or city and county of Honolulu Emergency Services Department (HESD) to support a drug and alcohol toxicology testing laboratory.

Events that have occurred over the past three years have caused great concern for the Hawai'i Police Department in managing the testing of blood samples for impaired driving cases. In 2020, Clinical Labs informed our department they would no longer conduct testing of blood samples for alcohol concentrations. This left our agency with very limited ability to have tests performed within the state as is required by law.

HESD came forward and agreed to assist us as a temporary resolution to the dilemma. After several months HESD became overwhelmed and advised that they too would have to stop testing. At that point, the Hawai'i Department of Transportation agreed to fund a position dedicated to testing blood samples and HESD began conducting tests again. These temporary fixes to a legally required testing process have continued to be a great concern for the evidentiary process. House Bill 1113, HD1 will assure a long-term remedy for the testing.

It is for these reasons, we urge this committee **to approve** this legislation. Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 1113, HD1.

Sincerely,


BENJAMIN T. MOSZKOWICZ
POLICE CHIEF

HB-1113-HD-1

Submitted on: 2/27/2023 4:40:43 AM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Collins	Individual	Support	Written Testimony Only

Comments:

This will help ensure funding for on-site toxicology analysis and will be needed to address the growing concerns of cannabis and other related drug impaired driving.