The Judiciary, State of Hawai'i

Testimony to the Thirty-First State Legislature, 2022 Regular Session

House Committee on Judiciary & Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Thursday, February 24, 2022, 2:00 p.m.
Via Videoconference

by
Karilee E. Harada
Chief Adjudicator
Administrative Drivers' License Revocation Program (ADLRO)

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1884, H.D. 1, Relating to the Statewide Traffic Code.

Purpose: Prohibits eligibility for relicensing without providing proof that an Ignition Interlock Device has not registered any "violations" for specific periods of time.

Additionally, the bill requires the court to impose a longer license revocation period under HRS 291E-61 and 291E-61.5 where the respondent does not own or have use of a vehicle for the installation of an ignition interlock device or is otherwise unable to drive.

Judiciary's Position:

The Judiciary takes no position on House Bill No. 1884, H.D. 1, but respectfully submits this testimony to express serious concerns about the operational and practical impact this bill would have on the ADLRO.

This bill would prohibit eligibility for relicensing without providing proof that an Ignition Interlock Device (IID) has not registered any "violations" for specific periods of time. As a result, this bill would discourage respondents from installing IIDs, which protect and promote public safety. Moreover, requiring proof of compliance for these additional requirements would serve to create significant delays in the relicensing process, which would be contrary to the purpose and mission of the ADLRO to resolve cases fairly, efficiently, and expeditiously.

In addition, the bill creates some logistical issues that would need to be addressed. For example, the definition of "violation" may need to be clarified, as there could be many causes for a violation (device malfunction, health issues that prevent blowing into the device, driver safety, etc.) that are not due to alcohol consumption or device circumvention. It is also unclear what the process would be to dispute or appeal to the cause of a violation. It is also important to note that the ADLRO and the court only issue the Ignition Interlock Permits and does not have jurisdiction to extend IIPs beyond the revocation period if a "violation" is registered. Once the revocation period is over, the ADLRO loses jurisdiction over the case.

The bill also requires the court to impose a longer license revocation period under HRS 291E-61 and 291E-61.5 where the respondent does not own or have use of a vehicle to install an IID or is otherwise unable to drive. This requirement would disproportionately impact those who cannot afford the cost of installing an IID.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR

LATE

TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

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

February 24, 2022
2:00 P.M.
State Capitol, Teleconference

H.B. 1884, H.D. 1
RELATING TO THE STATEWIDE TRAFFIC CODE

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation (DOT) **supports** H.B.1884, H.D. 1, relating to the statewide traffic code. The purpose of this measure is to: (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted of offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law; and (2) Prohibit a person from driving for two years if the person is convicted of operating a vehicle under the influence of an intoxicant and cannot have an ignition interlock device installed or is unable to drive during the revocation period.

According to the National Highway Traffic Safety Administration, compliance-based removal is a best practice for oversight of an ignition interlock program.[1] From 2011 through 2021, Hawaii's ignition interlock program has prevented 134,818 alcohol positive starts potentially saving lives.

Ignition interlocks serve as an offender paid probation officer that helps to ensure the public that the offender separates alcohol from their driving. Participating in an ignition interlock program decreases the risk of driving while intoxicated or impaired (DWI) recidivism by 65 percent. These programs are successful because they prevent many DWI repeat offenders from driving by either requiring them to be alcohol-free when they drive or separating them from their vehicles.

The DOT urges your committee to pass H.B. 1884, H.D. 1. We believe this bill will reduce the number of impaired drivers on our roadways and save lives.

Thank you for the opportunity to provide testimony.

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[1] Ignition-Interlock-Program-BP-Guide-August-2015-2.pdf (towardzerodeaths.org) pg; 22

DEPARTMENT OF THE PROSECUTING ATTORNEY

CITY AND COUNTY OF HONOLULU

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STEVEN S. ALM
PROSECUTING ATTORNEY

THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-first State Legislature
Regular Session of 2022
State of Hawai`i

February 24, 2022

RE: H.B. 1884, H.D. 1; RELATING TO THE STATEWIDE TRAFFIC CODE.

Chair Nakashima, Vice-Chair Matayoshi and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following **comments**, **supporting the intent** of H.B. 1884, H.D. 1.

The goal of H.B. 1884, H.D. 1, is to strengthen Hawaii's laws against operating a vehicle under the influence of an intoxicant ("OVUII"), by requiring all OVUII offenders who install Ignition Interlock devices to maintain the device for a minimum period, without any violations, before they can be eligible to apply for a driver's license again. The more times an offender is or has been convicted of OVUII (i.e. first offense, second offense, habitual OVUII), the longer the offender must remain on Ignition Interlock "violation-free" before they can apply for a driver's license. Offenders who do not get Ignition Interlock installed—due to exceptions listed in section 291E-61(b)(4) of the Hawaii Revised Statutes ("HRS")—would have their license revoked for a period of two years, and be subject to enforcement of their license revocation via HRS §291E-62 (as are all OVUII offenders).

The Department greatly appreciates the intent to hold Ignition Interlock device users accountable for any violations accrued while using this device, but notes that Hawaii's OVUII statutes are exceedingly comprehensive and interconnected, such that creating a new section in HRS Chapter 291E—as proposed in H.B. 1884, H.D. 1—almost invariably affects multiple other sections, sometimes in unexpected or unintended ways. For example, it is currently unclear how the proposed changes of H.B. 1884, H.D. 1, would work with existing HRS sections regarding administrative driver's license revocation ("ADLRO"). Also, changes to our OVUII laws can affect one county differently from another county, due to the specific policies, procedures, and infrastructure of each county police department or prosecuting attorney's office (or other agencies, such as ADLRO). Rather than making a unilateral insertion into Hawaii's OVUII laws, careful discussion and collaboration are needed to ensure all impacted statutes are amended

at the same time, and any potential consequences are accounted for and addressed ahead of time, to the extent possible. In particular, the Department notes that imposing a two-year revocation period, for all offenders who do not install Ignition Interlock devices, could conflict with a court's intended sentence for a second-time OVUII offender (see page 5, lines 10-11), or it could result in no increased revocation period for an offender who was transporting a minor under the age of fifteen years at the time of offense (see page 7, lines 1-2).

In addition to the foregoing concerns, the Department believes the first step to increasing the effective use of Ignition Interlock devices in Hawaii should be to encourage (or require) more offenders to install and use these devices in the first place. Ordering a longer period of license revocation for those who do not install an Ignition Interlock device (as H.B. 1884, H.D. 1, seeks to do), is certainly one approach. Another approach could be early termination of an offender's revocation period—for those who install the device and use it to successfully drive without any violations—as a "reward" for compliance. In 2021, our Department worked with multiple stakeholders to craft language that would combine both of these incentives, and that bill was introduced as H.B. 2247 (2022). Given the significant amount of discussion and planning that went into drafting H.B. 2247, the Department would encourage the Committee to use the approach from H.B. 2247 instead, to both incentivize increased usage of Ignition Interlock and provide further incentive for offenders' compliance.

For all of the reasons above, the Department of the Prosecuting Attorney of the City and County of Honolulu **supports the intent** of H.B. 1884, H.D. 1, but asks that the measure be deferred in lieu of other measures. Thank you for the opportunity to testify on this matter.

Mitchell D. Roth
Mayor

Paul K. Ferreira
Police Chief

Kenneth Bugado Jr.
Deputy Police Chief

County of Hawai‘i

POLICE DEPARTMENT

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February 24, 2022

Representative Mark M. Nakashima,
Chairperson and Committee Members
Committee on Judiciary & Hawaiian Affairs
415 South Beretania Street
Honolulu, Hawai`i 96813

RE: HOUSE BILL 1884, HD 1, RELATING TO THE STATEWIDE TRAFFIC CODE
HEARING DATE: FEBRUARY 24, 2022
TIME: 02:00 p.m.

Dear Representative Nakashima:

The Hawai`i Police Department **supports** House Bill 1884, HD1, with its purpose to prohibit persons convicted under 291E-61 or 291E-61.5 seeking eligibility for a driver’s license to show proof regarding the installation of an ignition interlock device in any vehicle they operate and compliance with the ignition interlock law.

We also support subsections (1-3) which will require an increase in time that the ignition interlock is installed on an offender’s vehicle, which coincides with the number of offences of operating a vehicle under the influence of intoxicants during a ten-year period.

Impaired driving remains a serious danger for anyone traveling on the roads in our communities. Requiring persons convicted of operating a vehicle under the influence of an intoxicant to test prior to operating a vehicle helps to reduce the number of crashes and particularly fatal crashes. The changes addressed in HB 1884, HD 1 will provide additional opportunities for drivers if they comply with the requirements and hopefully correcting dangerous driving behaviors.

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 1884, HD1.

Sincerely,

PAUL K. FERREIRA
POLICE CHIEF

SMARTSTART

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February 24, 2022

To: Representative Mark M. Nakashima, Chair, Representative Scot Z. Matayoshi, Vice-Chair, and members of the Committee on Judiciary & Hawaiian Affairs

From: JoAnn Hamaji-Oto, Territory Operations Director, Smart Start LLC, Hawaii Corporate Office

Re: House Bill 1884, Relating to the Statewide Traffic Code - Testimony in Support

I am JoAnn Hamaji-Oto, Territory Operations Director for Smart Start LLC, Hawaii Corporate Office. Smart Start is the current vendor contracted by the Hawaii Department of Transportation to install and service alcohol ignition interlocks in the state of Hawaii. I am offering testimony in strong support of HB 1884 - Relating to the Statewide Traffic Code, which implements compliance-based regulations effectively ensuring that a person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant will be ineligible for a driver's license unless providing proof of compliance.

We support **closing a gap in the current law** which allows people who have already plead guilty, been convicted, or administratively adjudicated to have been impaired while driving, *to continue to attempt to drive drunk without limit on the restoration of their license.* We feel that this is not only wrong, but dangerous. We support this bill because a person who blows into an interlock device while impaired is demonstrating that they cannot yet be trusted with a vehicle on the road. Under HB 1884, previously adjudicated drunk drivers using an interlock must have a certain period of no recordable violations before removal, known as a compliance-based regulation. This is the law in at least 34 states. Interlock compliance- based removal laws are important in teaching sober driving behavior.

We have heard concerns raised about requiring an ignition interlock device as a precursor to administratively restoring a driver's license. Therefore, we want to clarify that we would be supportive of revisions to this bill, if they are necessary, to ensure that, at a minimum, those who do have an interlock device installed have a *period of compliance* required prior to removal.

Currently, the only way to stop a drunk driver from reoffending is to install an ignition interlock on the vehicle that a person operates during a license revocation period. Unlike other alcohol monitoring technologies or programs, an ignition interlock is the only technology and the single most effective tool available to physically separate drinking from driving and to enhance public safety. A consequence for trying to drive drunk on an interlock is not incarceration, but rather a parked vehicle that will not start until the driver sobers up.

As you are most likely aware, ignition interlocks prevent a drunk driver from operating a motor vehicle if their breath alcohol concentration (BrAC) exceeds a set point (typically .020). Drivers must provide a breath sample by blowing into an interlock device before starting their car. If the driver's BrAC is over the

set point, the vehicle will not start. HB 1884 will make interlock users prove compliance and demonstrate they are able to drive sober before removing the device.

Since the implementation of Hawaii's Ignition Interlock law in 2011, we have prevented more than 100,000 drunk driving attempts in the state of Hawaii. The interlock did what it was supposed to do, it directly prevented drunk driving and the injuries and deaths it causes. An indigent program is available for those that qualify to help lessen the costs associated with an interlock. The Hawaii Department of Transportation (HDOT) established a program to provide for partial financial relief on the installation, calibration, and other related charges to participants who apply for such assistance and who are recipients at the time of license revocation or suspension, of either food stamps under the Supplemental Nutrition Assistance Program (SNAP), or free services under the Older American Act or Developmentally Disabled Act.

Under state law and per contract terms with HDOT, if the participant qualifies for receiving financial relief, the installation and monthly service fees are discounted at 50% off the standard rate. This discounted rate breaks down the monthly service fee cost to the participant at $1.48 a day.

According to the American Association of Motor Vehicle Administrators (AAMVA) Ignition Interlock Best Practice Guide called on states to have compliance-based removals for people on an interlock. This legislation will boost interlock implementation. Currently, OVUII offenders in Hawaii merely have their interlock removed when it is time for end of program, whether they have proved sobriety to drive or not. One of the biggest challenges facing Hawaii's ignition interlock program is eligible OVUII offenders wait out the revocation period and do not install an interlock, many choosing to drive unlicensed and not interlocked.

In conclusion, we strongly urge you to pass HB 1884 as it will help strengthen Hawaii's ignition interlock laws which is critically important to help save lives and keep Hawaii roads safe. OVUII offenders should be made to comply with the requirements to install an interlock device before their driving privileges are restored. They should not be given the choice of waiting out the revocation period without ever installing an interlock. This is a dangerous situation as research provides that revoking licenses by itself is not a deterrent, 50 – 75% of OVUII offenders continue to drive on revoked licenses. Thank you for the opportunity to provide testimony in support of this important bill.

SMARTSTART

JoAnn Hamaji-Oto
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February 24, 2022

To: Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair
House of Representatives Committee on Judiciary & Hawaiian Affairs

From: Kurt Kendro, Chair, Public Policy Committee; Mothers Against Drunk Driving (MADD) Hawaii

Re: HOUSE BILL 1884 HD1- RELATING TO THE STATEWIDE TRAFFIC CODE

I am Kurt Kendro, Chair of MADD Hawaii's Public Policy Committee and retired Major from the Honolulu Police Department speaking on behalf of the members of MADD Hawaii Advisory Board in STRONG SUPPORT of House Bill 1884 HD1.

MADD strongly supports ignition interlock devices and compliance-based removal of these devices. This bill will help close the loophole for those convicted offenders who choose not to comply with the ignition interlock regulations.

An ignition interlock device is often the very first line of defense from preventing a person who has been drinking from making a bad choice that could end in tragedy. Ignition interlock devices prevents impaired drivers from being able to start a vehicle. It is a known fact that ignition interlock devices save lives. Those convicted offenders who choose not to install an ignition interlock should not be given the privilege of being allowed to drive.

MADD Hawaii STRONGLY SUPPORTS House Bill 1844HD1 and ask that this bill be passed.

Thank you for the opportunity to testify.

February 24, 2022

House Committee on Judiciary and Hawaiian Affairs
415 South Beretania Street
Hawai'i State Capitol Honolulu, HI 96813

Re: HB 1884, HD1, RELATING TO THE STATEWIDE TRAFFIC CODE

Dear Chair Nakashima, Vice-Chair Matayoshi, and committee members:

My name is Tara Casanova Powell. I am the Principal of Casanova Powell Consulting (CPC). I am providing testimony as a research expert in the field of impaired driving to strongly urge your support of HB 1884, HD1, Relating to the Statewide Traffic Code.

I am the Principal of Casanova Powell Consulting, an independent traffic safety research consulting firm. With over 20 years of experience in the field of road safety and conducting research regarding the impaired driving population, I am considered a national expert in this regard. I have led several national and state projects involving alcohol and drug impaired driving, including a national evaluation of 28 state's ignition interlock programs, two Washington State ignition interlock offender behavior and recidivism projects, Minnesota and Colorado interlock program evaluations, an Annual National Survey of Ignition Interlocks, and a Continuous Alcohol Monitoring Recidivism study in Nebraska and Wisconsin. I have been asked to present at several state, national and international conferences including the 2017 National Conference of State Legislatures (NCSL) State Transportation Leaders Symposium in Denver, Colorado where I discussed refining ignition interlock laws and programs. I am a founding member of the Connecticut Statewide Impaired Driving Task Force, a faculty staff member for the National Center for DWI Courts (NCDC), a member of the Leadership Committee of the National Academies Transportation Research Board Alcohol and Other Drug Committee, and a member of the International Council on Alcohol Drugs and Traffic Safety where I have been appointed to the Rehabilitation Measure Working Group. I have intimate knowledge of Hawaii's impaired driving program since Hawaii was selected as a case study for a national study where I was the Principal Investigator: State Blood Alcohol Concentration (BAC) Testing and Reporting for Drivers Involved in Fatal Crashes.

Passage of HB 1884, HD1 provides for the adoption of language which will strengthen and expand the current ignition interlock program whereby it will establish compliance-based removal provisions.

As interlock research and technology evolved over the years, reductions in recidivism were seen with varying cohorts of offenders and terms of interlock, including interlock extensions. In other words, interlock extensions were found to decrease recidivism among all levels of offense including high BAC and repeat populations of DWI offenders (of which 65 percent of impaired driving fatalities occur).

Casanova Powell Consulting (CPC)
Traffic Safety Program Design and Implementation, Evaluation, and Research

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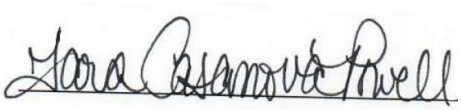
Interlock research performed by myself and my colleagues in the field has shown that interlocks can effectively monitor offenders, facilitate behavior change, and reduce recidivism rates among this population. (McCartt et. Al, 2013; Casanova Powell et. al, 2015, McGinty, 2017) Compliance-based removal, or interlock extensions based on compliant performance over a specific period of time was a strong recommendation as a result of my "Evaluation of State Ignition Interlock Programs: Interlock Use Analyses From 28 States" study (Casanova et. al, 2015).

Furthermore, a recent study conducted by Voas et al., (2016), examined the effects of treatment and supervision in combination with interlock use. Results showed that those participants in the treatment group experienced 32 percent reduction in recidivism during the 30 months following the removal of the interlock. The Voas study validates the use of ignition interlock paired with treatment as a viable tool to facilitate behavior change. As a result, public perceptions regarding the interlock device as a useful tool to monitor the impaired driving population (including those of judges and court staff), have changed over the years. This research also supports the DWI court model where required interlock use and term extension for confirmed alcohol interlock violations are standard practice.

In conclusion, I ask you to support HB 1884, HD1 to better ensure the safety of the citizens of Hawai'i. Please contact me with any additional questions you may have.

Respectfully Yours,



Tara Casanova Powell
Principal

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TESTIMONY OF
Brandy Axdahl
The Foundation for Advancing Alcohol Responsibility
House Committee on Judiciary and Hawaiian Affairs
February 24, 2022

Good afternoon Chair Nakashima and distinguished members of the committee. Thank you for the opportunity to submit written testimony in support of Hawaii House Bill 1884, HD1**.** My name is Brandy Axdahl and I am the Senior Vice President of Responsibility Initiatives at The Foundation for Advancing Alcohol Responsibility (Responsibility.org). We are a national not-for-profit that leads the fight to eliminate drunk driving and underage drinking and is funded by the following distillers: Bacardi U.S.A., Inc.; Beam Suntory; Brown-Forman; Campari Group; DIAGEO; Edrington; Mast-Jägermeister US Inc.; Moët Hennessy USA; Ole Smoky LLC; Pernod Ricard USA; and William Grant and Sons. To learn more, visit www.responsibility.org.

On behalf of Responsibility.org, I urge your passage of HB 1884, HD1. The first DUI is a chance to change behavior. We know that interlocks work while they are on the vehicle and we know that during the interlock timeframe, it's ideal for offenders to receive screening and assessment – and if indicated – treatment. For this law to have a significant lifesaving impact, these interlock devices must be utilized, and the laws must be enforced within the criminal justice system.

House Bill 1884, HD1 establishes penalties for violations of the ignition interlock law and requires proof of compliance with the ignition interlock law to be eligible to apply for a driver's license.

The passage of interlock laws saves lives. As detailed in Responsibility.org's position statement in support of mandatory ignition interlocks for all DUI offenders, ignition interlocks are one of the most effective countermeasures to prevent drunk driving.

A study by Kaufman and Wiebe (2016) examined the impact that the passage of all offender interlock laws had on alcohol-involved crashes in 18 states. The authors found that requiring all drivers convicted of DUI to install an interlock was associated with a 15% reduction in the rate of alcohol-involved crash deaths; this translates into an **estimated 915 lives saved**. A more recent examination of the effects of state interlock laws on alcohol-involved fatal crashes in the U.S. found that interlocks may reduce the occurrence of these crashes (McGinty et al., 2017). State laws that require interlocks for all DUI offenders were associated with a 7% decrease in the rate of fatal crashes involving a driver above the legal limit (.08) and an 8% decrease in the rate of fatal crashes involving a high-BAC (.15>) driver. This translates into an **estimated 1,250 prevented fatal crashes** involving a drunk driver.

This technology is most effective when utilized in conjunction with assessment, treatment, and supervision. It is essential that effective screening for alcohol, drugs, and mental health issues be conducted with DUI offenders in tandem with an interlock sanction to identify those offenders who have substance use and mental health disorders. Research shows that repeat DUI offenders often suffer from multiple disorders. Absent effective identification and treatment of these issues, long-term behavior change is unlikely for these offenders. To prevent repeat DUI and to save lives, the underlying causes of DUI offending must be addressed.

Responsibility.org and the Division on Addiction at Cambridge Health Alliance, a teaching affiliate of Harvard Medical School, launched the Computerized Assessment and Referral System, (CARS). This revolutionary screening and assessment instrument generates immediate diagnostic reports that contain

information about an offender's mental health and substance use issues, a summary of risk factors, and provides referrals to nearby treatment services. CARS is available for **free** download at http://www.carstrainingcenter.org. We hope this project will help states better identify, sentence, supervise, and treat impaired drivers.

Finally, of all the court costs an offender must pay, ignition interlocks should be the highest priority. These devices cost about $75 per month. Hawaii also has a robust program for indigent offenders so that the cost is not prohibitive, recognizing however that the program is intended to change behavior. Many defendants retain defense counsel and upon pleading guilty are assessed numerous fees. The ignition interlock cost should be the most important one to levy because it is the only fee that will also save lives and protect the public as the impaired driver is prevented from repeating DUI behavior while it is on the vehicle.

Responsibility.org believes that strong laws and the combination of enforcement and effective treatment are fundamental elements necessary to reduce the incidence of impaired driving. **We urge you to pass House Bill 1884, HD1 which will save lives in Hawaii.**

Thank you.

Traffic Injury Research Foundation

February 24, 2022

House Committee on Judiciary and Hawaiian Affairs
Hawai'i State Capitol Honolulu, HI 96813

RE: House Bill 1884, HD1 – Relating to the Statewide Traffic Code
Testimony in Strong Support

Dear Chair Nakashima, Vice-Chair Matayoshi, and members of the committee,

The Traffic Injury Research Foundation (TIRF; www.tirf.ca) strongly urges you to support and advance HB 1884, HD1 which closes loopholes in the drunk driving law and improves compliance with the state's lifesaving ignition interlock law.

TIRF is an independent, scientific research institute, based in Canada, with a separate US office. We operate as a registered charity in Canada, and our US office is a registered 501(c)3. We receive funding from governments through research project contracts as well as from associations and industry. We have consulted with governments around the world (including the Netherlands, Australia, United Kingdom, Belgium, Norway and France in addition to the US and Canada) about drunk driving and alcohol ignition interlock programs. The Association of Ignition Interlock Program Administrators (AIIPA) in the US hires TIRF to provide strategic advice to AIIPA. During the past 12 years, we have delivered technical assistance to improve the implementation and delivery of interlock programs and other drunk driving countermeasures in more than 40 states in the US with funding from the National Highway Traffic Safety Administration (NHTSA) through a cooperative agreement.

As part of this technical assistance, TIRF reviewed Hawaii's Alcohol Interlock Program in May 2014 and concluded with a written report. The report identified some of Hawaii's biggest challenges and offered suggested solutions. Challenges included:

- Offenders who are eligible for the interlock program often choose to wait out the hard revocation instead of enrolling in the interlock program;
- There is a lack of agency authority to hold offenders accountable for non-compliance with interlock program rules; and,
- Offenders in the interlock program who continue unsafe driving behaviors can not necessarily be kept in the program, thereby reducing possibilities to prevent future offending.

We believe that HB 1884, HD1 would effectively address these identified challenges by implementing a compliance-based removal system whereby offenders must prove compliance with ignition interlock program rules before their device will be removed. This approach requires that drunk drivers using an interlock must have a period of no recordable violations before the device is removed. Compliance-based systems are already law in more than 30 states and have become an effective way to teach sober driving.

In conclusion, we believe that HB 1884, HD1 addresses existing challenges in the current drunk driving law. The new law proposes proven best practices to overcome these challenges. We therefore urge you to support and advance HB 1884, HD1. We sincerely hope that the information we have provided will help to make this decision but remain available, should you require more information.

Please do not hesitate to contact us if you have follow-up questions about our letter.

Sincerely,

Robyn Robertson
President and CEO
TIRF

Dr. Ward Vanlaar
COO
TIRF

Secretary of the Board
TIRF USA, Inc.

Honorable Aaron Ling Johanson, Chair

Vice Chair Kitagawa, and members of the House Committee

State of Hawaii

RE: H.B. 1884

Hearing Date: 24 February 2022

2:00pm Via Video conference

Sir,

Committees on Consumer Protection & Commerce along with the Department of the Prosecuting Attorney are all in support of the H.B. 1884 which goal is to strengthen the law

Against operating a vehicle under the influence:

"A Bill for Act relating to the Statewide Traffic Code,"

Aloha Senator, Committee chair. I am Valerie Belanio, and I am currently a student from University of Hawaii at Manoa. I am doing my BSW. I am an interim at the Hawaii Courthouse for the Drug court. Thank you for allowing me to testify on behalf of this bill.

I am here to testify that I am for this bill.

I am aware that the State of Hawaii law against drunk driving. I believe this law will make it difficult for drunk drivers to be repeat offenders. Stiffer laws, stiffer penalties I believe will

make drunk drivers think before repeating the crime. We need to make people think twice before getting behind a car and I believe this Bill will do just that.

I hope your committee will take this into consideration and expedite the change.

Again, I am here to support this effort.

Should your Committee deliberate on this measure further, I hope you will take my comments in consideration.

Valerie Belanio

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808-747-9872

BSW Student of University of Hawaii at Manoa