



TESTIMONY BY:
EDWIN H. SNIFFEN
DIRECTOR

Deputy Directors
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO
JAMES KUNANE TOKIOKA

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

February 9, 2023
2:00 P.M.
State Capitol, Teleconference

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

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation (DOT) **supports** H.B. 1113. This measure makes an appropriation for the DOT Highways Division to deposit state highway funds to the drug and alcohol toxicology testing laboratory special fund in fiscal year 2023-2024 and fiscal year 2024-2025; authorizes the Department of Health and/or appropriates a grant-in-aid to the City and County of Honolulu Emergency Services Department (CCHESD) to expend funds from the drug and alcohol toxicology testing laboratory special fund in fiscal year 2023-2024 and fiscal year 2024-2025; amends references to the state drug and alcohol toxicology testing laboratory special fund.

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.

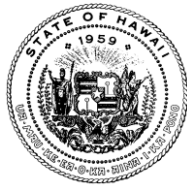
This bill is needed to appropriate funds from the state highway fund to the special fund; provide legislative authority for DOT to administer the special fund; and provide spending authority to CCHESD to support statewide blood alcohol testing, as well as establish and maintain a drug and alcohol testing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

Thank you for the opportunity to provide testimony.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA 'O HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OELE

WRITTEN
TESTIMONY
ONLY

In reply, please refer to:
File:

**Testimony in SUPPORT of HB1113
RELATING TO RELATING TO THE DRUG AND ALCOHOL TOXICOLOGY
TESTING LABORATORY.**

REPRESENTATIVE DAVID A. TARNAS, CHAIR
REPRESENTATIVE GREGG TAKAYAMA, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: 2/9/2023

Room Number: 325

- 1 **Fiscal Implications:** This measure will not impact the priorities identified in the Governor's
- 2 Executive Budget Request for the Department of Health's (Department) appropriations and
- 3 personnel priorities.
- 4 **Department Testimony:** The Department offers the following comments. In section 3(b) of the
- 5 measure, the Department of Transportation is the administering agency of the drug and alcohol
- 6 toxicology testing laboratory special fund. The Department of Health is named as the expending
- 7 agency. The Department of Health respectfully requests that it be removed as the expending
- 8 agency as it will no longer be involved in the drug and alcohol toxicology testing laboratory.
- 9 Thank you for the opportunity to testify.
- 10 **Offered Amendments:** None

Mitchell D. Roth
Mayor



Benjamin T. Moszkowicz
Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

February 9, 2023

Representative David A. Tarnas
Chairperson and Committee Members
Committee on Judiciary & Hawaiian Affairs
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: HOUSE BILL 1113, RELATING TO THE DRUG AND ALCOHOL TOXICOLOGY TESTING LABORATORY.
HEARING DATE: FEBRUARY 9, 2023
TIME: 2:00 P.M.

Dear Representative Tarnas:

The Hawai'i Police Department **supports** House Bill 1113, 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 Hawaii Revised Statutes, to specify moneys in the state drug and alcohol toxicology testing laboratory special fund shall be administered by the department of transportation and expended by 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 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.

Sincerely,


BENJAMIN T. MOSZKOWICZ
POLICE CHIEF



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
hi.state@madd.org

February 9, 2023

To: Representative David Tarnas, Chair, House Committee on Judiciary and
Hawaiian Affairs;
Rep. Gregg Takayama, , Vice Chair; and members of the Committee

From: Arkie Koehl, Public Policy Committee - MADD Hawaii

Re: House Bill 1113 – Relating to the Drug and Alcohol Toxicology Testing
Laboratory

I am Arkie Koehl, representing the members of MADD Hawaii, testifying in strong support of House Bill 1113.

Of the 50 states, Hawaii is the only state that does not have a State Drug and Alcohol Toxicology laboratory. This type of laboratory is absolutely essential in order to successfully prosecute offenders who are arrested for Operating a Vehicle under the Influence of an Intoxicant. Currently, if an offender is believed to be driving under the influence of drugs, a mainland company must test the blood or urine for the presence of drugs. Witnesses must then be brought to Hawaii to testify at trial in order to obtain a conviction. It is an almost impossible task to successfully prosecute such offenders and and protect our residents and visitors.

Thank you for the opportunity to testify.



To: The Honorable Representative David Tarnas, Chair
The Honorable Representative Gregg Takayama, Vice Chair
Members of the House Committee on Judiciary and Hawaiian Affairs

Re: Support of HB1113, Relating to the Drug and Alcohol Toxicology Testing Laboratory.

Hrg: Thursday, February 9th, 2023 at 2:00pm, Conference Room 325

There is an immediate need for in-state blood alcohol testing for all counties, which the City and County of Honolulu Emergency Services Department (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.

Mahalo,

Rick Collins
Director, Hawai'i Alcohol Policy Alliance

HB-1113

Submitted on: 2/7/2023 5:17:50 PM

Testimony for JHA on 2/9/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Oppose	Written Testimony Only

Comments:

oppose