

STAND. COM. REP. NO. **2832**

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2384

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 2384 entitled:

"A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS WHILE  
OPERATING A VEHICLE,"

begs leave to report as follows:

The purpose and intent of this measure is to lower the blood  
alcohol concentration threshold for driving while under the  
influence of alcohol from 0.08 to 0.05.

Your Committee received testimony in support of this measure  
from the National Transportation Safety Board, Office of the  
Governor, Department of Transportation, Department of Health,  
Department of the Prosecuting Attorney of the City and County of  
Honolulu, Department of the Prosecuting Attorney of the County of  
Maui, Office of the Prosecuting Attorney of the County of Kaua'i,  
Office of the Prosecuting Attorney of the County of Hawai'i,  
Honolulu Police Department, Hawai'i Police Department, one member  
of the Hawai'i County Council, Oahu Metropolitan Planning  
Organization, Mothers Against Drunk Driving Hawaii, Hawai'i Alcohol  
Policy Alliance, Smart Start LLC, Advocates for Highway and Auto  
Safety, FIA Foundation, Kids and Car Safety, Liam's Life  
Foundation, National Safety Council, .05 Saves Lives Coalition,  
Trauma Foundation, Keala Foundation, Hawaii Substance Abuse  
Coalition, Lokahi Treatment Centers, SparksInitiatives, Maui  
Coalition for a Drug-Free Youth, U.S. Alcohol Policy Alliance,  
Maika'i Cleaning Services LLC, and thirty-nine individuals.



Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Mahalo Aleworks, Big Island Brewhaus, Kauai Beer Company, Lanikai Brewing Company, Maui Chamber of Commerce, Craft 'Ohana, and three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that there is growing concern regarding impaired driving in the State, as intoxicated driving is the leading cause of traffic fatalities and leaves permanent impacts on the lives of innocent people. In 2013, the National Transportation Safety Board recommended that all fifty states adopt a blood alcohol concentration (BAC) limit of 0.05 compared to the 0.08 BAC standard, which would save approximately five hundred to eight hundred lives annually across the country. Your Committee further finds that there is an increasing rate of fatal crashes in the State involving intoxicated drivers. In 2021, there were one hundred twenty-seven drivers involved in deadly crashes, which increased to one hundred sixty-five drivers involved in fatal crashes in 2022. In addition, your Committee believes that lowering the BAC to .05 will have a strong deterrent effect and discourage impaired driving in the State. Accordingly, this measure creates stronger safeguards against intoxicated driving while ensuring greater protection of roadway users and the State's communities.

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. 2384 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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




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KARL RHOADS, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

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

Bill / Resolution No.:* <b>SB2384</b>	Committee Referral: <b>JDC</b>	Date: <b>02   27   24</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>—</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes